THE

SPORTING MAGAZINE;

OR,

MONTHLY CALENDAR

OF THE

TRANSACTIONS of the TURF, the CHACE,

And every other DIVERSION interesting to the MAN of PLEASURE, ENTERPRIZE and SPIRIT,

For FEBRUARY, 1799.

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[Embellished with an exquisite Engraving of the HERON, and a spirited Etching of BUFFALO HUNTING.]

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TO CORRESPONDENTS.

The Horse to his Rider, an Elegy, appeared in our Magazine for March, 1795.

Daniel del.	J. Scott sculp.

The Heron.

Published March 1, 1789, by J. Wheble, Warwick Court.

THE

Sporting Magazine,

For FEBRUARY, 1799.

THE HERON.

A beautiful Engraving by Scott, from a Drawing by Mr. S. Daniell.

THE bird, from which this print is taken, meaſured ſix feet from tip to tip of each wing. It was ſhot near Oatlands, in Surrey, at which place numbers of theſe birds are to be ſeen. The natural hiſtory of the heron is well known; the ſpecies, according to Mr. Pennant, are numerous. When hawking was in faſhion, the heron afforded much ſport.—In ſome future number, we may take up the ſubject more fully, and give ſome account of heron-hawking.—The ſimple deſcription of the heron, as mentioned in the books, is as follows:—

"*Heron, or Hern, a large wide water fowl, with a long neck and bill, that flies high, and feeds upon fiſh.*"

STAG HUNTING.

THE froſt, the ſnow, with the ſubſequent floods, having prevented his Majeſty's taking his favourite diverſion of ſtag-hunting, we have only to report one day's chaſe, as follows, and that merely from the newſpapers, as nothing has occurred to excite the attention of our ſporting correſpondent, who generally favours us with genuine accounts of the Royal chaſe.

Tueſday morning, Feb. 26, his Majeſty, accompanied by the Earl of Sandwich, Generals Manners and Gwynne, and a number of the nobility, took the diverſion of ſtag-hunting. The deer was turned out at Salt-hill; taking firſt by Stoke, and croſſing the country towards Beaconsfield, he directed his courſe to Weſt Wickham, in Buckinghamſhire, where he was taken, fourteen miles from Windſor. His Majeſty rode on horſeback after the chaſe to Slough, from whence he proceeded in his chaiſe to town at five in the evening.

FOX HUNTING.

FOLKSTONE, FEB. 7.

Monday laſt produced, to the Gentlemen of the Sandgate hunt, the beſt ſport, and the ſevereſt chaſe, that has been known for ſeveral years. The fox broke cover near Shorn-Cliff, ran through Beachborough, over Cheriton wood, to the ſtrong coverts of Newinton, up to Elham, thence through Lenham to Harriſham. He then took towards Charing, turned, and went through Leed's Caſtle park. From thence he came back to the coverts where he was firſt unkennelled; but from the celerity of the Kentiſh high-mettled hounds, after running upwards of thirty miles without the ſmalleſt check, was obliged to yield up his bruſh a little before he attained his uſual hiding place; for it is remarkable of this fox that he has been hunted once a fortnight by the ſame pack for two months paſt; was always found in the ſame place, and after leading the hounds a circuit of many miles in different directions, came back invariably to

the very ſpot where he was unkennelled, and had the ſuperior ſagacity, by various artifices, to conceal himſelf from his purſuers. He was known by the ſingular circumſtance of having a white tip to his bruſh; and every time he was hunted, the moment he heard a hound give his tongue, he broke cover, and ran without ſtopping until he came back to the ſame ſpot. He afforded five excellent day's ſport to the gentlemen of the hunt. There were only three in at the death, viz. Sir James Strickland, Mr. Robert Smith, and William Fores, Eſq. We are ſorry to hear that ſome valuable horſes were given over in conſequence of the ſeverity of the chaſe.

February 9, a moſt extraordinary circumſtance took place with Sir James Strickland's fox hounds.—They threw off, and found immediately at Beachborough wood; made a circle of Hythe hills to Dymechurch, where the hounds divided; two couple (attended by moſt of the company) purſued and killed the fox at Brookland, after a chaſe of two hours and a quarter hard running.—Four couple and a half went away with a freſh fox, and killed him near Romney. The main body drove a third fox over Lydd race-ground, to Playden hop-grounds, through Peaſmarſh, and killed him near Sandhurſt.

ALTERATION OF THE LAW FOR PARTRIDGE SHOOTING.

IN our Sporting intelligence, page 296, in this month's Magazine, it is noticed, that Mr. Shaw Lefevre had moved, in the Houſe of Commons, for leave to bring in a Bill for ſportſmen to recur to the old periods of commencing and leaving off partridge ſhooting. As the preſent half ſheet of our Miſcellany, though *firſt* in place, is yet the *laſt* in going to the preſs, we have an opportunity of laying before our readers, what paſſed on bringing up the Bill.

HOUSE OF COMMONS,

MONDAY, FEB. 25, 1799.

Mr. Shaw Lefevre roſe to make his promiſed motion reſpecting partridge ſhooting. The two acts which conſtituted the foundation of it being read, he ſaid his object was to bring back the law in England and Scotland to the 1ſt of September, as it formerly ſtood, and limit the time to the 1ſt of February. It was not his intention to go at length into the ſubject, but he ſhould content himſelf with a few obſervations. The bill of 1792 was brought in at a time when an alarm of a ſcarcity of this kind of game prevailed, and, therefore, ſo far, was now unſupported. But this was not his only objection to its continuance; he would ſhew that it was prejudicial to the morals of the lower orders of the people, and that great benefits would reſult to the country from its repeal; for if the amuſements of country gentlemen were more effectually ſecured, they would feel ſtronger inducements than they do at preſent to paſs more of their time on their eſtates. The nefarious crime of poaching had increaſed to an enormous extent. He could prove that many thouſands of partridges had been expoſed to ſale or market between the *firſt* and the 14th of September laſt, the prohibited period, and alſo in the year before. He could alſo prove, that many perſons had, to their ſhame, openly commenced ſhooting on the 1ſt of September, on the ground that the act was only intended to affect certain diſtricts. His wiſh was, that the fair ſportſman ſhould ſtart fair with the poacher, and that the latter ſhould not have fourteen days law

of

of him, as was then the caſe; that the gentleman's hands ſhould not be tied up, while whole covies were ſwept away by the poacher. He could alſo prove, that many gentlemen had declined taking out certificates in conſequence of the late laws; but the increaſed inducement which country gentlemen would feel to ſpend more of their time in the country, the neceſſary conſequence of the repeal of theſe laws appeared to him the principal argument. To induce them to do ſo as much as poſſible, he always underſtood was the ſoundeſt policy. The lower orders had thus the benefit of the example of their hoſpitality, and all the other advantages which tenants enjoyed from the reſidence of their landlords. On this ground, therefore, he always wiſhed to ſee country amuſements protected and encouraged. But excluſive of this reaſon, country gentlemen were entitled to particular favour in conſideration of their own merits. In diſcharging the functions of the magiſtracy, and various other public duties, there was no deſcription of men more serviceable to the ſtate. He would therefore aſk if they were not entitled to correſpondent care. But he aſked no favour for them, however well entitled they might be to demand it. He aſked nothing new, he merely wiſhed the reſtoration of the old, and to give them this privilege, as they had formerly enjoyed it. Mr. Lefevre concluded with moving for leave to bring in a Bill to repeal two Acts paſſed in the 36th year of the reign of his preſent Majeſty, and alſo for altering and amending an Act paſſed in the 32d, reſpecting the limitation of the time for killing partridges.

Mr. Coke defended the preſent laws, and objected to bringing back the time from the 14th to the 1ſt of September, on the ground that it would be attended with great injury to the ſtanding corn.

Mr. Buxton denied, that in the courſe of his experience any action had ariſen in his part of the country, in conſequence of fair ſportſmen going among ſtanding corn in queſt of game. The miſchief was done excluſively by poachers, whom the bill propoſed would prevent. Theſe were a ſpecies of men whom it was material not to encourage, for he never knew a man, who had given himſelf up to poaching, that ever proved a good ſubject; that their number was conſiderable muſt be pretty evident, for, to his own knowledge, partridges were ſo plentiful before the 14th of September, that they were actually ſold from a ſhilling to eighteenpence a brace, in the market of Norwich. He had made it his buſineſs to make particular enquiry among the lawyers on his circuit; and though ſome actions of treſpaſs might have ariſen in conſequence of gentlemen ſhooting on grounds where they had no right to go, he could not learn that any action had been inſtituted in conſequence of injury received by trampling down growing corn. For theſe reaſons, therefore, he would ſecond the motion.

Mr. Wigley ſpoke a few words againſt the meaſure.

The Attorney General ſupported it. The miſchief done between the 1ſt and 14th of September, he ſaid, did not ſtop there. It did not debauch merely the morals of the poacher, but alſo of the carrier, of every perſon who received the game thus unlawfully killed, or in any manner concerned with it. The innkeeper who bought it, would ſoon become a ſmuggler in ſpirits; the poacher himſelf would ſoon learn to violate the laws in other matters; and thus it was impoſſible to calculate the extent of conſequential

quential evil that might follow. The injury done to standing corn was much less when gentlemen were at liberty to shoot on the 1st of September. The gentleman would be as careful as possible, and his presence kept away the poacher; but as the law now stood, the latter was freed from that restraint. It was a fact, that the revenue had suffered by the present laws; but that was a point of very inferior consideration, when compared to the injury done to the morals of the people.

Mr. J. H. Browne spoke in favour of the measure.

Mr. Lefevre's motion was then put and carried.

CRIM. CON.

KING'S BENCH, FEB. 29.

Campbell v. Addison.

THIS was an action for criminal conversation with Jesse Campbell, the plaintiff's wife.—The damages were laid at 20,000l.

Mr. Erskine painted in glowing colours the enormity of the offence of adultery, particularly when accompanied with the aggravated circumstances to be found in the present case; he regretted that a crime so dangerous to society was not punished capitally. He stated that the plaintiff and defendant were nearly related to each other, having married two sisters. He then described the facts, as afterwards detailed by the witnesses.

It appeared from their concurrent testimony that the plaintiff, Doctor Campbell, soon after his marriage in the year 1785, took his lady with him to Bengal, where they lived together patterns of conjugal fidelity, and had four children; for their education they were sent to this country, accompanied by their mother, who, when she arrived first, took up her residence at the house of the defendant, who was her sister's husband, and had a country-house at Blackheath. She afterwards went to Sir James Campbell's, her father, at Inverniel, near Edinburgh. This was in the year 1794. The defendant, who was a broker in Cornhill, and had a family of four or five children, soon after followed her, accompanied by a servant he had hired for the journey. It was proved the defendant attended Mrs. Campbell on various excursions in the neighbourhood of Edinburgh, where frequent scenes of familiarity occurred. On one occasion, after they had indulged in a rural walk, the knees of the defendant's breeches exhibited a green stain, which they had not before possessed. When Mrs. Campbell left Scotland, the defendant accompanied her; they travelled by easy stages, and slept at various inns on the road, always contriving to have their bed-rooms adjoining each other. At Dunbar the defendant's servant had orders to call him at six o'clock; instead of which he went at five, but did not find him in bed, though the cloaths he had worn the day before were by the bedside. At Kirkliston, where the defendant and Mrs. Campbell had dined, they locked the door after dinner, and the suspicions of the post-boy, who was in the next room, were fully confirmed by what he afterwards heard.

A waiter, of the name of Brims, at the Hall, at Queen's-ferry, in consequence of their locking the door, contrived to bore a hole, through which he looked, and saw them on the carpet in a situation which left no room for doubt. He admitted he had at first denied having seen what was improper; but he said it was because he was ashamed of acknowledging he had pryed into the secrets of his master's

ter's guests. When they came to London, their conduct was, by the direction of Mr. Archibald Campbell, narrowly watched. They were frequently observed to meet at a house in Howard-street, in the Strand, shut the window-shutters, and remain together two hours, after which the lady used to be observed adjusting her dress. They were also watched into a set of chambers in Gray's Inn-square, where they staid much about the same time. It was in evidence that suspicions were entertained of the lady's intimacy, with a Mr. Wright, previous to the discovery of her amours with the defendant, and that she was a woman of a gay and extravagant disposition. It was also proved the defendant had failed in business about the year 1793.

Mr. Gibbs addressed the jury for the defendant. He said, the defendant, in the strongest asseverations, protested his innocence; and that if he had known what facts would have been brought forward, he could have accounted for those circumstances which appeared so strong against him. He said, there appeared no settled plan of seduction; that Mrs. Campbell was a woman of a loose turn of mind; that the defendant's circumstances were indifferent; and that he had a large family, which would be reduced to beggary by heavy damages.

Lord Kenyon, in the course of a solemn address to the jury, told them he had sat for several years in that place with the best assistance any establishment of jurisprudence in the world afforded to a judge, namely, with the assistance of twelve gentlemen of the country, of sufficient information, and of undoubted integrity and character. From what had been formally done by juries sitting in that place, he had vainly hoped their exertions would have been productive of some good to society; but that was no reason why they should relax in the discharge of their duty. The case consisted mainly of two points, the proof of the facts, and the consideration of the quantum of the damages. The learned counsel for the plaintiff observed, that this case did not fall within the lash of the criminal law of the country; but if he recollected right, adultery in the last century (during the Protectorate of Cromwell) fell under the *ultimum supplicium*, and was punished with death. It was for the legislature, and not judges, to say what punishment ought to be inflicted for this offence.

His Lordship said, he should not, unless the Jury desired it, trouble them with a detail of the evidence, which must be painful both to the speaker and to the hearers. He hoped he did not run to the conclusion too rapidly, when he said the evidence was equal to demonstration. Unless the offence was proved, the Jury could not proceed to consider of the damages. The satisfaction to be given by the man who had been guilty of this offence was not to be estimated in pounds, shillings, and pence. The plaintiff married this young lady, brought up under the care of circumspect parents, promising to be endowed with every virtue, and promising to make the conjugal state happy. He married her as the object of his dearest affections, and as it had been proved by several witnesses they lived for several years in all apparent happiness. The marriage produced four children to bless the wishes of their parents. In order that they might receive a liberal education, they were sent over to this country—the seat of as much virtue and learning, and of as much polite manners, as were to be found in the world. The mother came to this country to superintend them in

in their tender years, and after ſhe had put them in a ſituation, ſhe was was to India; and that they alſo, after they had received their education, were to return to India to bleſs their father. She puts herſelf under the protection of her own brother-in-law, where her honour is violated, in conſequence of which, the future hopes in life, and the future happineſs of her children, were in a great meaſure, and the happineſs of her huſband was entirely blaſted by the hands of this violator. The man who loſt the converſation of a wife of looſe morals did not loſe a great deal, but that was by no means the caſe here. The ſeducer made uſe of the ſituation in which he had acceſs to her—he who ought to have defended her virtue. The Jury would not forget all that horrible and dreadful hiſtory that paſſed in 1794. Mr. Addiſon put himſelf in the ſituation of a protector, and he turned out to be her worſt friend. She was young, and had lived in the profuſion of the Eaſt, but her mind was pure till it was tainted and her ruin conſummated by Mr. Addiſon, her brother-in-law, and the huſband of her ſiſter. If the Gentlemen of the Jury were ſatisfied of the fact, it was their duty to ſay what damages ought to be paid.

After the Jury had retired ſome time, they brought in a verdict for the plaintiff—damages 5,000l.

THE NEW ACTRESS AT DRURY LANE.

THE potent charms of this houſe were conſiderably increaſed on Tueſday night, February 26, by the firſt appearance of Miſs Edmead, in the character of *Mrs. Oakley*, in the *Jealous Wife*. This lady comes announced from the Norwich theatre; but it is not the only one in which ſhe ſeems to have cultivated a very large ſhare of natural endowment for the higher walks of genteel comedy with more than ordinary ſucceſs. Although that eſſential requiſite for a juſt portrait of a woman of faſhion, a ſtriking elegance of eaſe, be not confined to any particular ſhape or ſize, yet it muſt ever appear to moſt advantage in a fine perſon. In this, Miſs Edmead is happy; ſhe is tall, ſlender, and finely proportioned. Her countenance can well expreſs variety of paſſion, and her voice is remarkable for ſweetneſs of tone, clearneſs, and poliſhed delicacy. A combination like this forms a very ſtrong pretence to comic merit; but however mature in judgment, however verſed in the buſineſs of the ſtage, the firſt appearance of a performer is intitled to a conſiderable drawback on its defects, and a large bounty on its perfections. It is therefore no ſmall proof of merit, when this firſt eſſay of our fair candidate may preſume to ſtand the teſt of criticiſm, without claiming the privilege that candour allows to the novelty of her ſituation. A graceful deportment, a correct enunciation, and a ſpirited manner, preſented her not only to the eye, but to the ear, in the *Jealous Wife*, whoſe varying paſſions ſhe marked with ſenſe and diſcrimination. There is no character which we have oftener ſeen ſuffer on the ſtage from exceſs; a fault into which the performer, from the nature of the paſſion, is particularly liable to fall; yet here it was not ſurcharged with violence, but expreſſed with juſt energy and ſpirit. Her performance was uniformly applauded, and we may already pronounce her a valuable acquiſition to the theatre.

THE

THE ART OF ANGLING.

(*Continued from page* 189.)

3. BY the 1 El. c. 17. no person of what estate, degree, and condition soever he be, shall take and kill any young brood, spawn, or fry of fish; nor shall take and kill any salmon, or trouts, not being in season, being kepper and shedder; nor any pike or pikerel not being in length ten inches fish or more; nor any salmon not being in length sixteen inches fish; nor any trout not being in length eight inches fish; nor any barbel not being in length twelve inches; and no person shall fish or take fish by any device, but only with a net or tramel, whereof the mesh shall be two inches and a half broad, (angling excepting, and except smelts, loches, minnows, bull-heads, gudgeons, and eels) on pain of forfeiting twenty shillings for every offence, and also the fish, nets and engines.

[Note in some editions of the statutes it is twenty pounds, in others twenty shillings, in the record it is not distinguishable whether it is pounds or shillings. The latter seems more adequate to the offence.]

And the conservators of rivers may enquire hereof by a jury; and in such case they shall have the fines.

The leet also may enquire hereof; and then the forfeiture shall go to the lord of the leet. And if the steward do not charge the jury therewith, he shall forfeit forty shillings; half to the king, and half to him that shall sue. And if the jury conceal the offence, he may impannel another jury to enquire of such concealment; and if it is found the former jury shall forfeit every one twenty shillings to the lord of the leet.

And if the offence is not presented in the leet within a year, then it may be heard or determined at the sessions or assizes, saving the right conservators.

And by the 33 G. 2. c. 27. no person shall take, or knowingly have in his possession, either in the water or on shore, or sell or expose to sale, any spawn, fry, or brood of fish, or any unsizeable fish, or fish out of season, or any smelt not five inches long; and any person may seize the same, together with baskets and package, and charge a constable or other peace officer with the offender and with the goods, who shall carry them before a justice, and on conviction before such justice the same shall be forfeited and delivered to the prosecutor; and the offender shall besides forfeit twenty shillings, to be levied by distress by warrant of such justice, and distributed half to the prosecutor, and half to the poor of the parish where the offence was committed (and any inhabitant of such parish nevertheless, may be a witness); for want of sufficient distress to be committed to the house of correction, to be kept to hard labour for any time not exceeding three months, unless the forfeiture be sooner paid; provided, that the justice may mitigate the said penalty, so as not to remit above one half. Persons aggrieved may appeal to the next sessions; and the form of the conviction may be this:

Be it remembered, that on this —— day of —— in the —— year of the reign of —— G. B. is convicted before me —— one of his Majesty's justices of the peace, for the —— of —— for —— and I do adjudge him to pay and forfeit the sum of ——. Given under my hand and seal the day and year abovesaid. S. 13, 15, 16, 17, 18, 19.

4. No person shall fasten any nets over rivers, to stand continually day

day and night, on pain of an hundred shillings to the king. 2. H. 6. c. 15.

PROGNOSTICS OF THE WEATHER;

Independent of the Barometer, extracted from the best Authorities.

As it is highly necessary that an angler should be able to form a judgment of the change of weather, on which his sport entirely depends, if he observes the following signs, it will soon become familiar to him.

Signs from Vapours.

If a white mist in an evening or night is spread over a meadow wherein there is a river, it will be drawn up by the next morning's sun, and the day will be bright afterwards.

Where there are high hills, and the mist which hangs over the lower lands draws towards the hills in a morning, and rolls up their sides till it covers the top, there will be no rain.

In some places if the mist hangs upon the hills, and drags along the woods, instead of overspreading the level grounds in a morning, it will turn to rain; therefore to judge rightly of the appearances of a fog, it is in some degree necessary to be acquainted with the nature of the country.

Signs from the Clouds.

It is a very considerable symptom of fair weather, when the clouds decay, and resolve themselves into air: but it is otherwise when they are collected out of it.

In nubem cogitur aer—VIRGIL.

Against heavy rain every cloud rises bigger than the former, and all the clouds are in a growing state.

This is most remarkable on the approach of a thunder-storm, after the vapours have been copiously elevated, suspended in the sky by the heat, and are highly charged with electrical fire: small fragments of flying clouds increase and assemble together, till in a short space of time they cover the sky.

When the clouds are formed like fleeces, deep and dense toward the middle, and very white at the edges, with the sky very bright and blue about them, they are of a frosty coldness, and will soon fall either in hail, snow, or in hasty showers of rain.

If clouds are seen to breed high in the air in thin white trains like locks of wool, or the tails of horses, they shew that the vapour, as it is collected, is irregularly spread and scattered by contrary winds above; the consequence of which will soon be a wind below, and probably a rain with it.

If the clouds, as they come forward, seem to diverge from a point in the horizon, a wind may be expected from that quarter, or the opposite.

When a general cloudiness covers the sky above, and there are small black fragments of clouds like smoke, flying underneath, which some call messengers, and others Noah's ark, because they sail over the other clouds like the ark upon the waters, rain is not far off, and it will probably be lasting.

There is no surer sign of rain than two different currents of clouds, especially if the undermost flies fast before the wind; and if two such currents appear in the hot weather of the summer, they shew that a thunder storm is gathering: but the preparation which precedes a storm of thunder is so generally understood, that it is needless to insist upon it minutely.

Signs from the Dew.

If the dew lies plentifully upon the grass after a fair day, another fair day may be expected to succeed it; but if after such a day there

there is no dew upon the ground, and no wind ſtirring, it is a ſign that the vapours go upwards, and that there will be an accumulation above, which muſt terminate in rain.

Signs from the Face of the Sky.

If thoſe vapours, which the heat of the day raiſes from the earth are precipitated by the cold air of the night, then the ſky is clear in the morning; but if this does not happen and they remain ſtill in the air, the light of the morning will be coloured as it was in the evening, and rain will be the conſequence.

There is commonly either a ſtrong dew, or a miſt over the ground, between a red evening and a grey morning; but if a red morning ſucceeds, there is no dew.

It is a bad ſymptom when a lowring redneſs is ſpread too far upwards from the horizon, either in the morning, or in the evening, it is ſucceeded either by rain or wind, and frequently by both.

When ſuch a fiery redneſs, together with a raggedneſs of the clouds, extends towards the zenith in an evening, the wind will be high from the weſt or ſouth-weſt, attended with rain, ſometimes with a flood. Before the late dreadful hurricane of 1780, at Barbadoes, and the other Weſt-India Iſlands, a redneſs like fire was obſerved all over the ſky. When the ſky in a rainy ſeaſon is tinged with a ſea-green colour, near the horizon, when it ought to be blue, the rain will continue and increaſe; if it is of a deep dead blue, it is abundantly loaded with vapours, and the weather will be ſhowery.

Signs from the Sun, Moon, and Stars.

When there is a hazineſs aloft in the air, ſo that the ſun's light fades by degrees, and his orb looks whitiſh and ill-defined, it is one of the moſt certain ſigns of rain.

If the moon and ſtars grow dim in the night, with the like hazineſs in the air, and a ring or halo appears round the moon, rain will be the conſequence.

If the rays of the ſun breaking through the clouds are viſible in the air, and appear like thoſe horns of irradiation, which painters uſually place upon the head of Moſes, the air is ſenſibly filled with vapours, which reflect the rays to the ſight, and theſe vapours will ſoon produce rain.

If the ſun appears white as the ſetting, or ſhorn of his rays, or goes down into a bank of clouds, which lie in the horizon, all theſe are ſigns of approaching or continuing bad weather.

If the moon looks pale and dim, we are to expect rain; if red, it is a ſign of wind; and if white, and of her natural colour, the ſky is clear, and it will be fair weather, according to a poetical adage—

Pallida Luna pluit, rubicunda flat, alba
ſerenat.

If the moon is rainy throughout her courſe, it will clear up at the enſuing change, and the rain will probably commence again in a few days after, and continue; if on the contrary, the moon has been fair throughout, and it rains at the change, the fair weather will probably be reſtored about the fourth or fifth day of the moon, and continue as before.

Sin ortu quarto (namque is certiſſimus
auctor)
Pura, neque obtuſis per cœlum cornibus
ibit,
Totus et ille dies, et qui naſcentur ab illo
Exactum ad menſem, pluvia ventiſque
carebunt.
Virg. Georg. I. 432

But four nights old, (for that's the ſureſt
ſign)
With ſharpen'd horns if glorious then ſhe
ſhine;

Next day, not only that, but all the moon,
Till her revolving race be wholly run,
Are void of tempests.

DRYDEN.

N. B. A gentleman who cuts hay for his own consumption, will seldom fail to find his account in marking this observation; but a farmer who has much business to do cannot contract his work into so small a compass as to save himself by the benefit of this observation, because some of his work must be done to make way for the rest.

Signs from the Winds.

When the wind veers about uncertainly to several points of the compass, rain is pretty sure to follow.

Some have remarked, that if the wind as it veers about, follows the course of the sun from the east towards the west, it brings fair weather; if the contrary, foul: but there is no prognostic of rain more infallible than a whistling or howling noise of the wind.

From Nocturnal Meteors.

When an Aurora borealis appears after some warm days, it is generally succeeded by a coldness of the air: as if the matter of heat was carried upwards from the earth to the sky.

Signs of the Change of Weather from the Animal Creation.

So long as the swallows fly aloft after their prey, we think ourselves sure of a serene sky: but when they skim along near the ground, or the surface of the water, we judge that rain is not far off, and the observation will seldom fail; in the year 1775, a drought of three months continuance broke up at the summer solstice; the day before the rain came upon us, the swallows flew very near the ground, which they had never done in the fine weather.

In the mountainous county of Derbyshire, which goes by the name of the Peak, the inhabitants observe, that if the sheep wind up the hills in the morning to their pasture, and feed near the tops, the weather though cloudy and drizling which is very frequently the case, in those parts, will clear away by degrees, and terminate in a fine day; but if they feed in the bottoms, the rain will continue and increase.

Dogs grow sleepy and stupid before rain, and shew that their stomachs are out of order, by refusing their food and eating grass, that sort which is hence called *dogs' grass*; this they cast up again soon afterwards, and with it the foulness that offended their stomachs. Water fowl dive and wash themselves more than ordinary; and even the fishes in rivers are affected, because all anglers agree, that they never bite freely when rain is depending. Flies on the contrary, are particularly troublesome, and seem more hungry than usual; and toads are seen in the evening, crawling across the road or beaten path, where they seldom appear but when they are restless with an approaching change

Before any considerable quantity of rain is to fall, most living creatures are affected in such sort, as to render them someway sensible of its approach, and of the access of something new to the surface of the earth, and of the atmosphere. Moles work harder than ordinary, they throw up more earth, and sometimes come forth: the worms do so too; ants are observed to stir about, and bustle more than usually for some time, and then retire to their burrows before the rain falls. All sorts of insects and flies are more stirring and busy than ordinary. Bees are ever on this occasion in fullest employ, but betake themselves all to their hives, if not too far for them to reach before the

the storm arises. The common flesh-flies are more bold and greedy; snails, frogs, and toads appear disturbed and uneasy. Fishes are sullen and made qualmish by the water, now more turbid than before. Birds of all sorts are in action: crows are more earnest after their prey, as are also swallows, and other small birds, and therefore they fall lower, and fly nearer to the earth in search of insects, and other such things as they feed upon. When the mountains of the north begin to be capped with fogs, the moor-cocks and other birds quit them, fly off in flocks, and betake themselves to the lower lands for the time. Swine discover great uneasiness; as do likewise sheep, cows, and oxen, appearing more solicitous and eager in pasture than usual. Even mankind themselves are not exempt from some sense of a change in their bodies.

For the SPORTING MAGAZINE.

BIOGRAPHY.

JANUARY 3, died at Craike, in the county of Durham, at the advanced age of 104, Simeon Ellerton. He was a noted pedestrian, and was often employed by gentlemen in the neighbourhood, on commissions to London and other places, which he always executed on foot with fidelity and diligence. He lived in a neat stone cottage, of his own building; and what is remarkable, he had literally carried it upon his head! it being his practice to bring home from every journey, the most proper stone he could pick up on the road, until he had accumulated a sufficient quantity to erect his habitation; by which time, although the motive had ceased, this practice had grown so much into a habit, that he imagined he could travel the better for having a weight on his head, and he seldom came home without some loading.—If any person enquired his reason, he used facetiously to answer,—"'Tis to keep on my hat."

About the middle of last month, a person advanced in years, who had travelled the country in the capacity of a common beggar for a long time, was found in a perishing state upon the high road about three miles from Cartmel, Lancashire, by Mr. Robinson, of Broughton Lodge, who humanely procured assistance to convey him to a neighbouring house, where all possible means were used to recover him, but without effect. He died the next day, when an obstinate dispute took place between the overseers of the poor for that division, and the person employed to make his coffin; the overseers alledging that ash or sycamore would be cheaper than deal; and to put the parish to unnecessary expence was *bad policy*. However, whilst undressing the man, one observed that his breeches weighed very heavy, upon the examination of which, to the great surprise of all present, one hundred and eighty-five guineas were found carefully sewed up in the waistband of the same. The contention then ceased between the overseers and the coffin-maker; an oak coffin was then thought absolutely *requisite*, with an elegant *plate*, &c. The popular voice was, that as died in a christian country, he ought to be buried in a *christian-like* manner; in consequence of which, *warm ale*, and other *comfortable* things were produced at the time of the interment, according to the custom of the country, when a person of property dies.—It is said that an heir at law has appeared from a village called Condergreen, in the vicinity of Lancaster.

A PHILOSOPHICAL

A PHILOSOPHICAL AND PRACTICAL TREATISE ON HORSES, AND ON THE MORAL DUTIES OF MAN TOWARDS THE BRUTE CREATION.

BY JOHN LAWRENCE,

2 vols. 8vo. boards, 14s. *Longman.*

(Continued from Page 195.)

[We were, in our last Magazine, proceeding with Mr. Lawrence, in his abstract principles; but finding him travel beyond us on points which may not prove so acceptable to our readers, as more practical information, we shall leave a space, and take him up again at page 145.]

I Will run as quickly, and as briefly as possible, through the most material of the various abuses, of Horses in particular, which I have noticed. I declare it with the sincerest pleasure, I have not of late heard of that detestable practice, which formerly disgraced the conduct of many of our unthinking young men, who paid for driving tired horses, for the purpose of enjoying the unnatural pleasure of inflicting upon them the utmost tortures of the whip, in proportion as their strength and ability were exhausted. When cruelty, or unnecessary severity, is practised in horse racing, it is usually among ignorant and black-guard pretenders; the true gentleman-sportsman, from his knowledge and experience, is able to judge with sufficient accuracy of the extent of his horse's powers; and to discriminate between the correction necessary to excite their exertion, and bootless cruelty. Such a character would ever rather choose to err on the side of humanity, if, in any sense, that could be called an error. Some jockies are in the odious habit of butchering and cutting up their horses unnecessarily, or merely to make an ostentatious display of their powers in the use of the whip and spur; to speak the truth, they lie under a disagreeable predicament in the case; their bread being at stake, they must not incur suspicion; but I have known men of that class, of feeling hearts as well as keen heads, and who possessed the justest ideas of compassion. The following anecdote will serve the purpose of farther illustration. Some years since a young jockey, who was in no particular service, but rode for various employers, described to me very feelingly, the painful situation in which he then found himself: he had lately ridden the horse of a certain man, who kept several in training, and of whom he earned a good deal of money; but notwithstanding the utmost exertion of his strength and skill, with a particular horse, he found it impossible to win. He was engaged to ride the same horse again, at a place where he was sure to meet the same, or in all probability, horses of yet superior form. He represented to his employer, the impossibility of winning, for although his horse was both stout and honest, his antagonist's went so much too fast for him, that he could make no impression upon them, even by running distrest every yard of the course. Such reasoning was not calculated to make any impression upon the solid sconce, or marble heart of this Smithfield sportsman. He chided the lad for his too great tenderness to the horse in the last race; and for the succeeding one, his orders were, "Make him win, or cut his bloody entrails out.—Mark, if you don't give him his belly-full of whip, you never ride again for me—I'll find horse, if if you'll find whip and spur!" The generous little horse ran three four mile heats without flinching, or hanging for a single stroke, with that excess of exertion, that his very eye-balls seemed ready to start from their sockets, but unsuccessfully; and, with an aching heart, I saw

ſaw him literally cut up alive, from his ſhoulder to his flank, his ſheath in ribbands, and his teſticles laid bare. To my great mortification, no one took it in hand to rebuke the thickheaded miſcreant who was the author of this uſeleſs piece of cruelty, except his jockey, who ſwore he would periſh for want ſooner than repeat ſuch an act of blaſted infamy.

Few ſporting people, in or near the metropolis, but have heard of the hard fate of the poor old fleabitten grey gelding. This excellent creature, though not a full-bred horſe, thrice ran twenty-two miles within the hour, over the hard road. By way of reward for ſuch uncommon excellence, he was afterwards, when his powers had declined, killed in an unſucceſsful match, with circumſtances of the moſt horrid barbarity. I have been informed, he was whipped to that exceſs, that his entrails were viſible, and even hung trailing on the ground; I ſpeak from information only, and heartily wiſh the owner, if he ſtill be alive, may have it in his power to contradict a ſtory ſo much to his diſcredit. The ill-judged and unſkilful attempts of ignorant people at matching and racing upon the hard road, (which they prefer) are almoſt ever attended with diſguſting circumſtances of cruelty.

But the moſt fruitful ſource of miſery to horſes is, that they are committed (through neceſſity in a great meaſure, perhaps) to the abſolute diſcretion, in all reſpects, of their drivers; a majority of whom are the leaſt enlightened, the moſt hardened and profligate, of all the lower people. Here the generality of proprietors commit a great error againſt their own and the intereſts of humanity. A man with a well-informed mind, however ignorant he may chance to be of horſes, or of the eſtabliſhed routine of ſtable diſcipline, may be ſuperior, in one reſpect, to the moſt ſkilful groom or driver. I mean in that ſcience which teaches the government of the temper both of man and horſe; and there is a perfect analogy.—The ignorant and brutal mind is too prone to tyranny, and meaſures of barbarous and ſavage coercion. You'll ſee a man of this ſort, to whom the management of horſes is committed, everlaſtingly intent upon glutting is vindictive diſpoſition, for every fault, real or ſuppoſed, which the poor animals may chance to commit: whereas, it is a truth, grounded upon the experience of ages, and confirmed by the beſt judges of the preſent time, that the obedience of horſes is beſt inculcated and ſecured by mild methods, and by overlooking trifling faults: and that from ſuch treatment, we ſhall reap the greateſt poſſible benefit from their labours. I here foreſee a difficulty ariſing in the minds of gentlemen, and owners of horſes, and I will do my endeavour to help them out of the dilemma. It would ſurely be no great trouble, nor productive of any inconvenience, for a gentleman or lady to ſay to a newly-hired coachman, carter, or groom,—"Take notice, beaſts have both ſenſe and feeling, and I am told by experienced people, that horſes are beſt governed by gentle uſage. I am determined to permit no other to mine. I will have no foul blows given, nor ſuffer my cattle to be wealed and marked with the whip. If any of them will not do without ſuch uſage, prove it to me, and I will change them. I ſhall look and enquire ſtrictly into your conduct, and the inſtant you diſobey me in this reſpect, you are no longer my ſervant."

Much miſchief and cruelty enſues from indulging the petty vanity, and knowing conceits, of country carters. I knew a villain

of

of that claſs, who being offended at the figure and condition of a horſe, which his maſter had purchaſed for the plough, continued to drive him by the whip, to ſuſtain more than his ſhare of the labour: at feeding times inhumanly tying his head up to the rack, to prevent his reaching the corn, until in a ſhort time the poor animal dropped down dead in the ſtable, from exceſſive labour, and want of ſuſtenance. Great barbarity is too often exercifed, to no manner of purpoſe, upon thoſe horſes, the nature of which will not permit them to draw, what are called, dead pulls.

In town, the abſurd method of ſhoeing cart and coach horſes, in particular, is productive of a thouſand cruelties and dangers. The diſpoſitions of horſes vary in the ſame manner and degrees, as we obſerve thoſe of the human race. Some of them will daſh forward through thick and thin, or over whatever ways, without the ſmalleſt ſolicitude, whether they ſtand or fall; others, on the contrary, have ever an anxious care upon them, to keep themſelves up; and in a difficult or ſlippery way, take every ſtep with the utmoſt precaution; theſe laſt ſuffer moſt cruelly upon London ſtones, when ſlippery with ſun or froſt, from the brutality of their drivers.

You will frequently ſee a gentleman's coachman whipping one of his horſes, with the moſt brutal fury, the whole length of a ſtreet. This practice is ſo very common, that it doubtleſs leads people to ſuppoſe it to be perfectly right, and in order. Now I have, for many years, paid particular attention to it, and can ſcarce recollect an inſtance where ſuch correction was on juſt grounds, or likely to be attended with good effects. On examination, I have generally found it has been uſed, becauſe the horſe unavoidably trod in a hole, or ſlipped from bad ſhoeing; that it was a misfortune, not a fault in the horſe, or that in all probability, he was totally ignorant for what reaſon he was corrected. This laſt conſideration, overlooked by the ignorant, is ſurely of the utmoſt importance. Even in the caſe of a fault, it may be relied on, that nine parts in ten, at leaſt, of the correction uſed muſt be ſuperfluous, as is moſt of that brutal whipping, which we ſee practiſed on an embarraſs, at the door of a play-houſe, or other public place.

The humane reader, who has been accuſtomed to perambIe the ſtreets of the metropolis, will recollect that he has often obſerved a carman with his whip hoiſted aloft upon his arm, and his countenance marked with all the inſolence of petty tyranny, ſtrutting along the foot-path, and calling his fore-horſe towards him. This neceſſary manœuvre of "Come hither, who-o," the little tyrant of the whip is determined to inculcate by dint of the utmoſt rigour, and by abſolutely breaking the ſpirit of the beaſt; whence enſue careleſſneſs, ſtubbornneſs, uncertainty, and deſperation: inſtead of uſing mild, and perſuaſive methods, attempered with occaſional ſlight correction, in virtue of which he might, almoſt to a certainty, enſure the willing and ſteady obedience of his horſe. At one inſtant the horſe is whipped for holding too cloſe to his driver; at the next, for bearing off too much; now, for going too faſt, then again for going too ſlow: bye and bye for ſtopping, afterwards becauſe he did not ſtop; that the faculties of the poor beaſt are totally confounded, and cauſed to degenerate into an inert and ſtagnant ſtate of inſenſibility, inſtead of making a progreſs in that ratio of improvement, of which they are ſo highly capable. Hence the ſource of

of many of those accidents, which daily occur. Does a stage coachman commit an error, with his eye or his finger, from which a horse's mouth receives a wrong direction, and an accident occurs? thinking the horse ought to have understood him, although it is probable he did not understand himself, or ashamed that his skill should be questioned, Mr. Hell-driver proceeds to whipping, with all his new and home cuts, perhaps for a whole street's length, distressing all his other horses, and running the utmost risk of a new accident. In short, the examples I could give, and the proofs of the inutility, as well as barbarity, of the far greater part of that correction, which we daily see given to horses, would be endless. The standing orders of masters ought to be, *parce puer stimulis*—"I will not suffer my horses to be whipped, for the more whip, the greater necessity; and you may proceed from a whip to a cat-o-nine tails."

The brutal cruelty of the Smithfield drovers, has been an immemorial disgrace upon the character of the people of this country; and I should not obtain credit, were I to state the number of lives, which appear from old magazines and newspapers, to have been lost, from accidents by over-driven cattle, within the last fifty years. The late exertions of the City Magistracy, to check these infernal practices, have done them immortal honour; the regulations they have caused to be put up in Smithfield, are excellent, and have no doubt been attended with considerable good effect. But it is impossible, in the beginning, to do more than barely check so inveterate a disease, even with the best remedies. To declare the fact, the fault by no means lies with the drovers exclusively, but is to be attributed to the relics of barbarity, which are still latent in the minds of the people. How indeed are they to discriminate? since the most exquisite pleasure is supposed by their betters, to be derived from hunting, worrying, and tearing the living members of the most harmless and timid animals—Why not hunt bullocks, as well as hares and deer? I have heard of a fellow belonging to one of the public offices, who is so enamoured with this humane, innocent, and delectable sport of bullock-hunting, over the plains of London, that he has not missed any opportunity for years; and who, upon the first intelligence, will leave the most important business of his life, his wife in the pains of child-birth, his books unmade up, or his prayers unfinished, to follow the bullock, and the jolly cry of "D—m my eyes! why don't you hox him?" from the 'Change to Hyde Park Corner, from that to Limehouse Hole, and from thence, were it upon the cards, to the gates of hell.

It is a fact, that needs no labour of mine to prove, that nearly all those beasts, styled mad, that is, vicious and untractable, are rendered so by the strange change of place, and by harsh and cruel usage; and that an amendment is to be sought only in the improved morals of the people. Respecting additional remedies to those already devised, I am for radical ones. I will freely confess myself a *ne plus ultra man*. I detest half measures, and palliatives, in all concerns whatever, as much as I do the patching up of a clap; and were I but persuaded, that the body politic itself was thoroughly infected, I would, without scruple, give my vote to have it hove down, that it might at once undergo a radical and effectual cure. But to the question—I cannot conceive any regulations, however prudently devised, and punctually

punctually observed, likely to be thoroughly efficacious, so long as the cattle market is held in its present situation; and one would be tempted to suppose, that it could be none other than such wiseacres, as framed the sapient laws against fore-stalling, and regrating, to think of introducing such a dangerous nuisance, as a market for live cattle, into the heart of a populous city. Common sense, and the general weal, have long demanded the abolition of Smithfield market, and the establishment of two in lieu thereof—one on the North, and one on the South side of the metropolis; as well as the total discontinuance of slaughtering cattle within the town. But the common sense, or justice alone of a measure, are seldom any recommendation. Even were the whole Court of Aldermen to be tossed by horned cattle, their united influence would not be able to carry such a measure, as the removal of Smithfield market. A man might as well have the modesty to ask for Universal Suffrage, and the Abolition of the Slave Trade.

(To be continued.)

CANT PHRASES OF THIEVES.

PRIGS—Thieves.
Files or knuckles—Pickpockets.
Lifts—Shop-lifters.
Milling of kens—House-breaking.
A flash ken—Public-house for thieves.
A lobb full of glibbs—A box full of ribbons.
A rum beak—A good justice.
A quare beak—A bad justice.
A scribing gloak to a beak—A clerk to a justice.
A horney—A constable.
A scout—A watchman.
A quod cull, and a dubb cull—A gaoler and a turnkey.
A rispin—A bridewell.
A craping cull—A hangman.
A sneak for chinks or feeders—A thief for tankards or spoons.
Nix in whideling—Don't speak.
Tip us your fain—Give us your hand.
A coaping cull—A horse-jockey.
Passing quare blunt, or smashing—Passing bad money.
Scamping on the panny—Going on the highway to rob.
Fencing of prads—Selling of horses.
A brace of pops, or barking irons—A pair of pistols.
To glee the rattler—To notice a coach on the road.
Mill the cull to his long rib—Kill the man you rob.
Mill the rattling gloke—Kill the coachman.
Pikeing to beak—Going to the justice.
Pikeing to quod—Going to prison.
Tip me rum darbies—Give me a light pair of fetters.
The bustrap johns me—The thief-taker knows me.
I have received my patten—I have had my trial.
I am down for my scrag—I am to be hanged.
I am to be legged—I am to be transported.
I napt the flog at the tumbler—I was whipt at the cart's tail.
A dark glim—A dark-lanthern.
Our fence is grabbed—Our receiver of stolen goods is apprehended.
Let us pike to the start—Let us go to London.
Let us pike to the spell—Let us go to the play.
'Tis a rum darky, and oliver shows—It is a good night, and the moon shines.
Douse the glimms—Put out the candles.
Mill his nob—Break his head.
Chive his munns—Cut his face.
My homony is in quod—My wife is in gaol.
Tip me your chive—Give me your knife.

He

He kaps, he buffs, he mounts—Synonimous terms for he ſwears falſely.

I am very ſeedy—I am very poor.

Napping a peter—Cutting a trunk from a carriage.

Drawing a reader with bank ſcreens—Stealing a pocket-book with bank-notes.

Drawing a thimble—Stealing a watch from the ſide or fob.

Pikeing acroſs the herring-pond—Going to Botany-Bay.

The ſwag is ſafely planted with the fence—The property is taken to the receiver's houſe.

He has ſplit or turned ſnitch againſt all his palls—He has turned evidence againſt all his companions.

Starring the glaze—Cutting ſhop-windows.

HISTORY OF BRITISH BIRDS.

The Figures engraved on Wood by T. Bewick.

Vol. I. Containing the Hiſtory and Deſcription of Land Birds.

Newcaſtle: Printed by Sol. Hodgſon, for Beilby and Bewick; ſold by him, and G. G. and J. Robinſon, London.—Price Eighteen Shillings in Boards.

(Concluded from page 194.*)*

THE attentive Ornitholigiſt will not fail to diſcover numerous inſtances of this kind, ſuch as the partridge, plover, quail, &c. Some are indebted to the brilliancy of their colours as the means of alluring their prey; of this the King-fiſher is a remarkable inſtance, and deſerves to be particularly noticed. This beautiful bird has been obſerved, in ſome ſequeſtered place near the edge of a rivulet, expoſing the vivid colours of its breaſt to the full rays of the ſun, and fluttering with expanded wings over the ſmooth ſurface of the water; the fiſh, attracted by the brightneſs and ſplendour of the appearance, are detained whilſt the wily bird darts down upon them with unerring certainty. We do not ſay that the mode of taking fiſh by torch light, has been derived from this practiſed by the King-fiſher, but every one muſt be ſtruck by the ſimilarity of the means. Others, again, derive the ſame advantage from the ſimplicity of their exterior appearance; of this the heron will ſerve for an example. He may frequently be ſeen ſtanding motionleſs by the edge of a piece of water, waiting patiently the approach of his prey, which he never fails to ſeize as ſoon as it comes within reach of his long neck; he then reaſſumes his former poſition, and continues to wait with the ſame patient attention as before.

Moſt of the ſmaller birds are ſupported, eſpecially when young, by a profuſion of caterpillars, ſmall worms, and inſects, with which every part of the vegetable world abounds; which is by this means preſerved from total deſtruction, contrary to the commonly received opinion, that birds, particularly ſparrows, do much miſchief in deſtroying the labours of the gardener and the huſbandman. It has been obſerved, " that a ſingle pair of ſparrows, during the time they are feeding their young, will deſtroy about four thouſand caterpillars weekly; they likewiſe feed their young with butterflies, and other winged inſects, each of which, if not deſtroyed in this manner, would be productive of ſeveral hundreds of caterpillars."

Swallows are almoſt continually upon the wing, and in their curious winding flights deſtroy immenſe quantities of flies and other inſects, which are continually floating in the air, and which, if not deſtroyed by theſe birds, would render it unfit for the purpoſes of life and health.

 That

That active little bird, the Tom-tit, which is generally supposed hostile to the young and tender buds that appear in the spring, when attentively observed, may be seen running up and down amongst the branches, and picking the small worms that are concealed in the blossoms, and which would effectually destroy the fruit. As the season advances, various other smal birds, such as the redbreast, wren, winter-fauvette, or hedge-sparrow, whitethroat, redstart, &c. are all engaged in the same useful work, and may be observed examining every leaf, and feeding upon the insects which they find beneath them.

These are a few instances of that superintending Providential care, which is continually exerted in preserving the various ranks and orders of beings in the scale of animated Nature; and although it is permitted that myriads of individuals should every moment be destroyed, not a single species is lost, but every link of the great chain remains unbroken.

Great Britain produces a more abundant variety of birds than most northern countries, owing to the various condition of our lands, from the highest state of cultivation to that of the wildest, most mountainous, and woody. The great quantities of berries and other kinds of fruit produced in our hedges, heaths, and plantations, bring small birds in great numbers, and birds of prey in consequence: our shores, and the numerous little islands adjacent to them, afford shelter and protection to an infinite variety of almost all kinds of water fowl. To enumerate the various kinds of birds that visit this island annually, will not, we presume, be unacceptable to our readers, nor improper in this part of our work. The following are selected chiefly from Mr. White's Natural History of Selborne, and are arranged nearly in the order of their appearing.

1. Wryneck, middle of March.
2. Smallest Willow Wren, latter end of ditto.
3. House Swallow, middle of April.
4. Martin, ibid.
5. Sand Martin, ibid.
6. Black-cap, ibid.
7. Nightingale, beginning of April.
8. Cuckoo, middle of ditto.
9. Middle Willow Wren, ibid.
10. Whitethroat, ibid.
11. Redstart, ibid.
12. Great Plover or Stone Curlew, end of March.
13. Grasshopper Lark, middle of April.
14. Swift, latter end of ditto.
15. Lesser Reed Sparrow.
16. Corncrake or Land Rail.
17. Largest Willow Wren, end of April.
18. Fern Owl, latter end of May.
19. Flycatcher, middle of ditto*.

Most of the soft-billed birds feed on insects, and not on grain or seeds, and therefore usually retire before winter; but the following, though they eat insects, remain with us during the whole year, viz. the redbreast, winter-fauvette, and wren, which frequent outhouses and gardens, and eat spiders, small worms, crumbs, &c. The pied, the yellow, and the grey wagtail, which frequent the heads of springs, where the waters seldom freeze, and feed on the aureliæ of insects usually deposited there. Besides these, the winchat, the stonechat, and the golden crested wren, are seen with us during the winter. The latter, tho' the least of all the British birds, is very hardy, and can endure the utmost severity of our winters. The white-rump, though not common, sometimes

* This is the latest summer bird of passage.

stays

ſtays the winter with us.—Of the winter birds of paſſage, the following are the principal, viz.

1. The Redwing, or Wind Thruſh.

2. The Fieldfare.—[both theſe arrive in great numbers about Michaelmas, and depart about the end of February, or beginning of March.]

3. The Hooded, or Sea Crow, viſits us in the beginning of winter, and departs with the Woodcock.

4. The Woodcock appears about Michaelmas, and leaves us about the beginning of March.

5. Snipes are conſidered by Mr. White as birds of paſſage, though he acknowledges that they frequently breed with us.—Mr. Pennant remarks that their young are ſo frequently found in Britain, that it may be doubted whether they ever entirely leave this iſland.

6. The Judcock, or Jack Snipe.

7. The Wood Pigeon. [Of the preciſe time of its arrival, we are not quite certain, but ſuppoſe it may be ſome time in April, as we have ſeen them in the north at that time]

8. The Wild Swan frequents the coaſts of this iſland in large flocks, but is not ſuppoſed to breed with us: it has been chiefly met with in the northern parts, and is ſaid to arrive at Lingey, one of the Hebrides, in October, and to remain there till March, when it retires more northward to breed.

9. The Wild Gooſe paſſes ſouthward in October, and returns northward in April.

With regard to the Duck kind in general, they are moſtly birds of paſſage. Mr. Pennant obſerves, "Of the numerous ſpecies that form this genus, we know of no more than five that breed here, viz. the tame ſwan, the tame gooſe, the ſhield duck, the eider duck, and a very ſmall number of the wild ducks: the reſt contribute to form that amazing multitude of water fowls that annually repair from moſt parts of Europe to the woods and lakes of Lapland and other arctic regions, there to perform the functions of incubation and nutrition in full ſecurity. They and their young, quit their retreats in September, and diſperſe themſelves over Europe. With us they make their appearance in the beginning of October, circulate firſt round our ſhores, and, when compelled by ſevere froſt, betake themſelves to our lakes and rivers." In winter the bernacles and brent geeſe appear in vaſt flocks on the north-weſt coaſt of Britain, and leave us in February, when they migrate as far as Lapland, Greenland, or Spitzbergen.

The ſolon geeſe or gannets are birds of paſſage; their firſt appearance is in March, and they continue till Auguſt or September.—The long-legged plover and ſanderling viſit us in winter only: and it is worthy of remark, that every ſpecies of the curlews, woodcocks, ſandpipers, and plovers, which forſake us in the ſpring, retire to Sweden, Poland, Pruſſia, Norway, and Lapland, to breed, and return to us as ſoon as the young are able to fly; the froſts, which ſet in early in thoſe countries, depriving them totally of ſubſiſtence.

Beſides theſe, there is a great variety of birds which perform partial migrations, or flittings, from one part of the country to another. During hard winters when the ſurface of the earth is covered with ſnow, many birds, ſuch as larks, ſnipes, &c. withdraw from the inland parts of the country, towards the ſea-ſhores, in queſt of food; others, as the wren, the redbreaſt, and a variety of ſmall birds, quit the fields, and approach the habitations of men. The Bohemian chatterer,

chatterer, the grosbeak, and the crossbill, are only occasional visitors, and observe no regular times in making their appearance. Great numbers of the first were taken in the county of Northumberland the latter end of the year 1789 and 1790, before which they had not been observed so far south as that county, and since that time have never been seen there.

The ages of birds are various, and do not seem to bear the same proportion to the time of acquiring their growth as has been remarked with regard to quadrupeds. Most birds acquire their full dimensions in a few months, and are capable of propagation the first summer after they are hatched. In proportion to the size of their bodies, birds are much more vivacious, and live longer than either man or quadrupeds: notwithstanding the difficulties which arise in ascertaining the ages of birds, there are instances of great longevity in many of them: geese and swans have been known to attain the age of one hundred and upwards; ravens are very long-lived birds—they are said sometimes to exceed a century; eagles are supposed to arrive at a great age; pigeons are known to live more than twenty years; and even linnets and other small birds have been kept in cages from fifteen to twenty years.

To the practical ornithologist there arises a considerable gratification, in being able to discern the distinguishing character of birds as they appear at a distance, whether at rest, or during their flight; for not only every species has something peculiar to itself, but each genus has its own appropriate marks, upon which a judicious observer may discriminate with almost unerring certainty. Of these, the various modes of flight afford the most certain and obvious means of distinction, and should be noted with the most careful attention. From the bold and lofty flight of the eagle, to the short and sudden flittings of the sparrow or the wren, there is an ample field for the curious investigator of Nature, on which he may dwell with inexpressible delight, tracing the various movements of the feathered nations which every where present themselves to his view. The notes, or as it may with more propriety be called, the language of birds, whereby they are enabled to express, in no inconsiderable degree, their various passions, wants and feelings, must be particularly noticed. The great power of their voice, by which they can communicate their sentiments and intentions to each other, and whereby they are enabled to act by mutual concert added to that of the wing by which they can remove from place to place with inconceivable celerity and dispatch, is peculiar to the feathered tribes; it gives them a decided superiority over every species of quadrupeds, and affords them the greatest means of security from those attacks to which their weakness would otherwise expose them. The social instinct among birds, is peculiarly lively and interesting, and likewise proves an effectual means of preservation from the various arts which are made use of to circumvent and destroy them. Individuals may perish, and the species may suffer a diminution of its numbers; but its instincts, habits, and economy, remain entire.

ON THE VARIETY AND MOVEMENT OF ANIMALS.

FROM HOGARTH'S ANALYSIS OF BEAUTY.

SPEAKING of the human form, and the art of man to give it grace and beauty, Mr. Hogarth says

ſays,—"Thus again you ſee, the more variety we pretend to give to our trifling movements, the more confuſed and unornamental the forms become; nay, chance but ſeldom helps them. How much the reverſe are nature's! the greater the variety her movements have, the more beautiful are the parts that cauſe them.

"The finny race of animals, as they have fewer motions than other creatures, ſo are their forms leſs remarkable for beauty. It is alſo to be noted of every ſpecies, that the handſomeſt of each move beſt; birds of a clumſy make ſeldom fly well, nor do lumpy fiſh glide ſo well through the water, as thoſe of a neater make; and beaſts of the moſt elegant form always excel in ſpeed: of this, the horſe and the greyhound are beautiful examples: and even among themſelves, the moſt elegantly made ſeldom fail of being the ſwifteſt.

"The war-horſe is more equally made for ſtrength than the race-horſe, which ſurplus of power in the former, if ſuppoſed added to the latter, as it would throw more weight into improper parts for the buſineſs of mere ſpeed, ſo of courſe it would leſſen, in ſome degree, that admirable quality, and partly deſtroy that delicate fitneſs of his make: but then a quality in movement, ſuperior to that of ſpeed, would be given to him by the addition, as he would be rendered thereby more fit to move with eaſe in ſuch varied or graceful directions, as are ſo delightful to the eye in the carriage of the fine managed war-horſe; and as at the ſame time, ſomething ſtately and graceful would be added to his figure, which before could only be ſaid to have an elegant neatneſs. This noble creature ſtands foremoſt amongſt brutes; and it is but conſiſtent with nature's propriety, that the moſt uſeful animal in the brute creation ſhould be thus ſignalzed alſo for the moſt beauty.

"Yet, properly ſpeaking, (adds our author) no living creatures are capable of moving in ſuch truly varied and graceful directions, as the human ſpecies; and it would be needleſs to ſay how much ſuperior in beauty their forms and textures likewiſe are. And ſurely alſo, after what has been ſaid relating to figure and motion, it is plain and evident that nature has thought fit to make beauty of proportion, and beauty of movement, neceſſary to each other; ſo that the obſervation before made on animals, will hold equally good with regard to man: *i. e.* that he who is moſt exquiſitely well proportioned, is moſt capable of exquiſite movements, ſuch as eaſe and grace in deportment, or in dancing."

For the SPORTING MAGAZINE.

ANECDOTES OF HUNTING; BRITISH, SAXON, NORMAN, AND OLD ENGLISH.

Extracted from the Reverend Richard Warner's Topographical Remarks, relating to the South Weſtern parts of Hampſhire.

AS I ſhall ſhortly conduct my reader into New Foreſt, an extenſive tract of country, formerly the grand ſcene of thoſe ſylvan amuſements, in which our anceſtors ſo greatly delighted; it will not, I truſt, be deemed inapplicable to my ſubject, if I give a preliminary account of Engliſh venery, from its earlieſt times, to the period when it ceaſes to be a matter of curioſity to the antiquarian, and more properly claims the notice of the modern hunter.

An ingenious and penetrating writer who has made profound reſearches into the nature and hiſtory of

of man, entertain, than an appetite for hunting is a principle inherent in the human mind; wisely implanted in it by our Creator, as a mean by which man in his natural savage state may be furnished with subsistence. This opinion, indeed, seems to have its foundation in truth; for if we advert to man in his original character, we shall find him of all beings the most helpless, and least capable of providing for the support of life. Altogether unacquainted with those arts, tillage and agriculture, which by a tedious but certain process, afford him when more civilized his daily bread, unable, through want of experience to tame the less docile animals, or to domesticate such as Providence intended for his peculiar use; did he not possess this innate appetite, which stimilates him to the chace, and renders him careless of its fatigues and dangers; it seems difficult to conceive by what methods he could exist in his solitary, unassisted state. The opinion too receives additional strength, when we contemplate such nations as still continue in the simple habits of savage life: and perceive that hunting is among them all universally followed. The call of hunger, observes Lord Kaimes, is not alone sufficient to engage men to bear with cheerfulness the toil of this exercise, and the uncertainty of capture. Savages, who act by sense, not by foresight, move not when the stomach is full: and it would be too late when the stomach is empty, to form a hunting party. If necessity then, powerful as its incitements are, be not the cause of this general passion for hunting observable in savage life, it must proceed from some principle or appetite deeply ingrafted in the mind of man; an illustrious instance, among many others, of that wise and kind adaptation of his internal constitution to his external circumstances, which Providence has displayed in the formation of him.

The ancient Britons who came originally from Gaul, and were one of the widely extended Celtic tribes; brought with them this ardent passion for the chace. Such of them indeed as settled themselves in the maritime parts of Britain, quickly arrived at a state of some civilization, and in a great measure remitted their attention to sylvan amusements. But those who inhabited the interior regions of the country, retained the modes of savage life until the period of Cæsar's arrival in Britain. Among this bold and active race, the delights of hunting were held in high request; and yielded only in estimation to the joys of battle.

"Amid the tempest let me die," says a Celtic chieftain, "torn in a cloud, by angry ghosts of men; amid the tempest let Calmar die, if ever chace was sport to him, so much as the battle of shields."

By the constant practice of this severe and hardy exercise in which they employed the hours of peace, the ancient Britons acquired that muscular strength, undaunted courage, and wonderful agility, which were displayed with such advantage in their struggles for liberty with their invaders, and so often gave a check to the steady and persevering exertions of Roman discipline.

Nor was this attachment to the chace confined to the rougher sex alone; the Britsh fair ones delighted in the pursuit of the roe and deer. Armed with a bow and quiver, and attended by their faithful dogs, they frequently indulged in this amusement; and slew the game which was afterwards served up in the "Hall of shells," to the warriors who had reaped laurels in the field of battle.

It seems probable, however, that they pursued only the timid tenants of the forest; such as the hart, the hind,

hind, the roebuck, and the goat; while the Celtic chieftain sought renown in the destruction of the wolf, and the boar. From instances of prowess displayed on these occasions, they frequently received honourable, and distinguishing appellations: "Stern hunter of the boar," is the title given to Duth-maruno, who had signalized himself in the chace of this ferocious animal, "when," in the figurative language of Ossian, "the bristly strength of I-thorno, rolled on his lifted spear."

As a considerable degree of courage, strength, and agility, was requisite in this species of hunting; opportunities of displaying these talents, the only ones which savage manners esteem or affect, were by the Celtic chieftains sought with eagerness, and embraced with rapture. Hence it was considered at their hunting parties, as a compliment of the highest nature, and the greatest proof of hospitality, for the host to honour his guest with "the danger of the chace;" or in other words, to permit him to attack and destroy the boar, that was roused for the purpose. Tradition has handed down an instance, where a breach of this point of etiquette was considered as a mortal affront, and attended with very bloody consequences.

Torcul-torno, a northern chieftain, invited Starno, king of Lochlin, to a hunting party. The prince accepting the invitation, they both went to the mountains of Stivamore to pursue their game. A boar rushed from the wood, and Torcul-torno, in contradiction to all the rules of politeness, destroyed it. Starno considering this conduct as a breach of hospitality, resented it warmly. A quarrel arose: blows ensued; and after a sharp conflict, Torcul-torno's party was put to flight, and its leader destroyed.

The following short account of a Celtic hunting-match, will naturally enough introduce a few observations on the manner and implements of hunting, customary, and in use, among the ancient Britons.

"Morning trembles with the beam of the east; it glimmers on Comla's side. Over Lena is heard the horn of Swaran; the sons of ocean gather around. Silent, and sad, they rise on the wave. The blast of *Erin* is behind their sails. White as the mist of Morven, they float along the sea. Call, said Fingal, call my dogs, the long-bounding sons of the chace—call white-breasted Bran, and the surly strength of Luath!—Fillan and Ryno; but he is not here! My son rests on the bed of death! Fillan and Fergus! blow the horn, that the joy of the chace may arise; that the deer of Cromla may hear, and start at the hill of roes."

"The shrill sound spreads along the woods. The sons of heathy Cromla arise. A thousand dogs fly off at once, grey-bounding through the heath. A deer fell by every dog—three by white-breasted Bran. He brought them in their flight to Fingal, that the joy of their king might be great."

It is manifest from this passage and numerous others in Ossian, that the Britons did not make use of horses in their hunting expeditions. Strong, swift, and agile, they found no difficulty in pursuing on foot, the fleetest animals of the forest. "Swift hunter of the deer;"—"light bounding son of the chace;" and such like, are the titles bestowed on many of Ossian heroes, highly expressive of the extraordinary velocity and activity, which they displayed on these occasions. Add to this, that their dogs were admirable; their arrows almost always unerring; and we shall not wonder at their hunting matches terminating in

in ſuch a carnage of game as the foregoing account relates.

With reſpect to the weapons uſed by the Britons in hunting, Strabo tells us they were nearly the ſame as thoſe they employed in war.—Javelins and ſpears, bows and arrows; dogs alſo accompanied them in both. The ſpear was ſerviceable in the fierce conteſt with the boar; the arrow levelled the roebuck, and other fleet inhabitants of the foreſt.

"Arindal my ſon, deſcended from the hill, rough in the ſpoils of the chace. His arrows rattled by his ſide; his bow was in his hand. Five dark-grey dogs attend his ſteps."

The dog, the faithful aſſociate of man in the labours of the chace, was the moſt ſerviceable attendant upon theſe occaſions. He indeed makes a diſtinguiſhed figure in the hiſtory of Britiſh venery. The ſwiftneſs of his foot, the quickneſs of his ſcent, the ſagacity of his nature, and the fidelity of his attachment, rendered the Britiſh dog not only extremely eſtimable in the country where he was bred, but highly prized and much ſought after by the ſurrounding nations.

After the reduction of our iſland by the Romans, ſo excellent a character did this animal acquire both for his dexterity in the chace, and fierceneſs in the combat, (for Strabo teſtifies, he would, on occaſion, act the part of an excellent ſoldier) that he became a valuable article of commerce; and a Roman officer was appointed to reſide at Wincheſter, for the expreſs purpoſe of collecting and breeding Britiſh dogs, to furniſh the amphitheatre and imperial kennel at Rome.

Antiquity indeed is laviſh in his praiſes; and ſeveral poets, both Greek and Latin, have not thought him unworthy of metrical eulogy.

Numerous then as the advantages were which the Celtic nations drew from this animal, we cannot wonder at their partiality towards him; nor be ſurpriſed to find in their legal inſtitutions, various regulations to prevent him from being either ſtolen or deſtroyed. There is one law extant of a very curious nature, which condemns the violator of this valuable property, to a *public ſalutation of the poſteriors* of the dog he had concealed.

We now proceed to the *venatic* ſports of our Saxon anceſtors.

As theſe fierce invaders were but juſt emerging from a ſtate of ſavage barbarity, at the period of their firſt appearance in Britain, they in courſe followed ſuch modes of life, as are common among men ſo far removed from civilization and refinement. Hunting, as before obſerved, is one of thoſe avocations, in which barbarous nations are neceſſarily employed. That the Germans purſued this ſport with wonderful keenneſs and delight, is atteſted by the moſt reſpectable writers of antiquity. Cæſar aſſures us they paſſed their whole life either in the toils of war, or in the labours of the chace; and that a large proportion of their ſubſiſtence was drawn from the latter exerciſe. The philoſophic Tacitus alſo, upwards of an hundred years afterwards, remarked in them the ſame propenſities.

When their conqueſt of England was compleated, and they had leiſure to turn their thoughts from war to the ſettlement of their government, and their wonted occupations and amuſements, though they then gradually increaſed in civilization, yet we find that a ſtrong inclination to the chace ſtill continued to be a prominent feature in the Saxon character. Hunting was the general paſſion of all the higher ranks; and in this rural amuſement, the King, the Thane, the Biſhop, and the Abbot, ſpent a great portion of that leiſure time which they enjoyed in ſuch abundance.—*(To be continued.)*

CALCULATION

CALCULATION OF THE ODDS AND CHANCES OF COCKING ARITHMETICALLY INVESTGATED.

(*Continued from page* 25.)

THE following calculations are suppoſing each battle or event to be ſix to five in your favour.

10 battles running,	are	427	to 1
9 out of 10	are	44	to 1
8 out of 10	are	$9\frac{1}{2}$	to 1
7 out of 10	are	$2\frac{9}{10}$	to 1 near 3 to 1
6 out of 10	are	1	to 1 rather againſt you
5 and 5 or even battles in 10	are	$3\frac{1}{5}$	to 1 or 16 to 5
9 battles running,	are	232	to 1
8 out of 9	are	26	to 1
7 out of 9	are	$5\frac{337}{337}$	to 1 very near 6 to 1
6 out of 9	are	$1\frac{70}{82}$	to near 2 to 1
5 out of 9	are	6	to 4 for you
8 battles running,	are	126	to 1
7 out of 8	are	$15\frac{1}{2}$	to 1
6 out of 8	are	$3\frac{3}{4}$	to 1 or 15 to 4
5 out of 8	are	11	to 1
4 and 4 or even battles or events in 8	are	11	to 4
7 battles running,	are	68	to 1
6 out of 7	are	$9\frac{1}{5}$	to 1
5 out of 7	are	9	to 4
4 out of 7	are	7	to 5 for you
6 battles running,	are	36	to 1 very near 37 to 1
5 out of 6	are	$5\frac{1}{4}$	to 1 or 21 to 4
4 out of 6	are	5	to 4
3 and 3 or even battles or events in 6	are	9	to 4
5 battles running,	are	$19\frac{2}{3}$	to 1
4 out of 5	are	3	to 1 or a little better
3 out of 5	are	7	to 5 for you
4 battles running,	are	$10\frac{1}{4}$	to 1
3 out of 4	are	8	to 5
2 and 2 or even battles or events in 4	are	10	to 6
3 battles running,	are	$5\frac{1}{7}$	to 1 or 36 to 7
2 out of 3	are	5	to 4 for you
2 battles running,	are	85	to 36 or 7 to 3

It is 61 to 60 that it is not 1 and 1 in 2 battles or events.

The following, is when it is 6 to 5 againſt you.

10 battles running,	are	2654	to 1
9 out of 10	are	203	to 1
8 out of 10	are	33	to 1
7 out of 10	are	$8\frac{1}{4}$	to 1
6 out of 10	are	$2\frac{4}{7}$	to 1 or 18 to 7

9 battles running,	are	1206	to 1
8 out of 9	are	101	to 1
7 out of 9	are	$17\frac{3}{4}$	to 1
6 out of 9	are	$4\frac{3}{4}$	to 1 or 19 to 4
8 battles running,	are	547	to 1
7 out of 8	are	50	to 1
6 out of 8	are	$9\frac{1}{4}$	to 1
5 out of 8	are	8	to 3
7 battles running,	are	248	to 1
6 out of 7	are	25	to 1
5 out of 7	are	$5\frac{1}{4}$	to 1 or 21 to 4
6 battles running,	are	112	to 1
5 out of 6	are	$12\frac{3}{4}$	to 1
4 out of 6	are	11	to 4
5 battles running,	are	50	to 1
4 out of 5	are	$6\frac{1}{3}$	to 1
4 battles running,	are	22	to 1
3 out of 4	are	very little better than 3 to 1	
3 battles running,	are	$9\frac{1}{2}$	to 1
2 battles running,	are	$3\frac{5}{6}$	to 1 or 23 to 6 near 4 to 1

The following is when it is 5 to 4 in your favour.

10 battles running,	are	356	to 1
9 out of 10	are	38	to 1
8 out of 10	are	$8\frac{1}{3}$	to 1 or 25 to 3
7 out of 10	are	$2\frac{1}{2}$	to 1
6 out of 10	are	14	to 13 in your favour
5 and 5 or even battles or events in 10	are	$3\frac{1}{4}$	to 1 or 13 to 4
9 battles running,	are	197	to 1
8 out of 9	are	24	to 1
7 out of 9	are	$5\frac{1}{3}$	to 1
6 out of 9	are	5	to 3
5 out of 9	are	5	to 3 in your favour
8 battles running,	are	109	to 1
7 out of 8	are	$13\frac{3}{4}$	to 1
6 out of 8	are	$3\frac{1}{4}$	to 1
5 out of 8	are	a little better than even money [against you	
4 and 4 or even battles or events in 8	are	11	to 4
7 battles running,	are	60	to 1
6 out of 7	are	$8\frac{1}{4}$	to 1
5 out of 7	are	2	to 1
4 out of 7	are	3	to 2 in your favour
6 battles running,	are	33	to 1
5 out of 6	are	$4\frac{78}{96}$	to near 5 to 1
4 out of 6	are	6	to 5
3 and 3 or even battles or events,	are	9	to 4

5 battles

5 battles running,	are		$17\frac{3}{4}$	to 1
4 out of 5	are		12	to 5
3 out of 5	are		3	to 2 in your favour
4 battles running,	are		$9\frac{1}{3}$	to 1 near $9\frac{1}{2}$ to 1
3 out of 4	are		3	to 2
2 and 2, or even battles or events in 4 are 8 to 5				
3 battles running,	are		$4\frac{5}{6}$	to 1 near 5 to 1
2 out of 3	are		4	to 3
2 battles running			11	to 5

It is 41 to 40 that it does not happen battle and battle in 2.

Five to four againſt you.

10 battles,	are		3324	to 1
9 out of 10	are		245	to 1
8 out of 10	are		38	to 1
7 out of 10	are		$9\frac{1}{3}$	to 1
6 out of 10	are		3	to 1
9 battles running,	are		1476	to 1
8 out of 9	are		119	to 1
7 out of 9	are		20	to 1
6 out of 9	are		$5\frac{1}{3}$	to 1 or 16 to 3
8 battles running,	are		655	to 1
7 out of 8	are		58	to 1
6 out of 8	are	very near	11	to 1
5 out of 8	are		3	to 1
7 battles running,	are		290	to 1
6 out of 7	are		28	to 1
5 out of 7	are		$5\frac{6}{7}$	to 1 near 6 to 1
6 battles running,	are		128	to 1
5 out of 6	are		$14\frac{1}{4}$	to 1
4 out of 6	are		3	to 1
5 battles running,	are		56	to 1
4 out of 5	are		$6\frac{70}{74}$	to very near 7 to 1
4 battles running,	are		24	to 1
3 out of 4	are		3	to 1
3 battles running,	are		$10\frac{1}{3}$	to 1
2 battles running,	are		65	to 16 little better than 4 to 1

Six to four for you.

6 ſucceſſive events,	are		20	to 1
5 out of 6	are		$3\frac{2}{7}$	to 1 or 23 to 7
4 out of 6	are		7	to 6 in your favour
3 and 3 or equal events in 6 are			5	to 2
5 ſucceſſive events,	are		$11\frac{6}{7}$	to near 12 to 1
4 out of 5	are	very near	2	to 1
3 out of 5	are		31	to 15 for you

4 ſucceſſive

4 successive events, are	$6\frac{5}{7}$	to	1	
3 out of 4 are	11	to	10	
2 and 2 or equal events in 4 are	15	to	8	
3 successive events, are	7	to	2	
2 out of 3 are	11	to	6	
2 successive events, are	16	to	9	
1 and 1 or equal in two events, are	13	to	12	

Six to four against you.

6 successive events, are	243	to	1	
5 out of 6 are	23	to	1	
4 out of 6 are	[illegible]$\frac{4}{9}$	to	1	or 39 to 7
5 successive events, are	96	to	1	
4 out of 5 are	10	to	1	very near $10\frac{1}{2}$ to 1
4 successive events, are	38	to	1	
3 out of 4 are	$4\frac{1}{2}$	to	1	
3 successive events, are	$14\frac{5}{8}$	to	1	
2 ditto are	21	to	4	

Seven to four for you.

6 successive events, are	14	to	1	
5 out of 6 are	7	to	3	
4 out of 6 are	11	to	7	for you
3 and 3 or equal events in 6 are	3	to	1	
5 successive events, are	$8\frac{1}{2}$	to	1	
4 out of 5 are	6	to	4	
3 out of 5 are	11	to	4	for you
4 successive events, are	5	to	1	
3 out of 4 are	8	to	7	
2 and 2 or equal events in 4 are	$2\frac{1}{9}$	to	1	or 19 to 9
3 successive events, are	$2\frac{7}{8}$	to	1	near 3 to 1
2 out of 3 are	9	to	4	
2 successive events, are	7	to	5	
1 and 1, or even 2, are	65	to	56	

Seven to four against you.

6 successive events, are	431	to	1
5 out of 6 are	36	to	1
4 out of 6 are	$6\frac{1}{2}$	to	1
5 successive events, are	156	to	1
4 out of 5 are	15	to	1
4 successive events, are	56	to	1
3 out of 4 are	$6\frac{1}{2}$	to	1
3 successive events, are	$19\frac{3}{4}$	to	1
2 ditto, are	$6\frac{1}{2}$	to	1

Two to one for you.

6 successive events, are	$10\frac{1}{3}$	to	1
5 out of 6 are	9	to	5

4 out

4 out of 6	are	17	to	8
3 and 3 or equal events in 6 are		3½	to	1
5 successive events, are		6½	to	1
4 out of 5	are	7	to	6
3 out of 5	are	11	to	3 for you
4 successive events, are		65	to	16
3 out of 4	are	11	to	8 for you
2 and 2 or equal events in 4 are		57	to	24 or 11 to 5
3 successive events, are		19	to	7
2 out of 3	are	20	to	7 near 3 to 1
2 successive events, are		5	to	4 against you

1 and 2 or equal in 2 are 5 to 4 that they do not happen so.

Two to one against you.

6 successive events, are		728	to	1
5 out of 6	are	55	to	1
4 out of 6	are	$8\frac{72}{73}$	to	1 very near 9 to 1
5 successive events, are		242	to	1
4 out of 5	are	21	to	1
4 successive events, are		80	to	1
3 out of 4	are	8	to	1
3 successive events, are		26	to	1
2 ditto,	are	8	to	1

TWO LAW CASES.

IN A LETTER FROM A LAW STUDENT TO HIS FRIEND.

As I am now become, according to my uncle's phrase, a limb of the law, he insisted upon it I should dine with him at the last Justice meeting, at Hatherleigh, and see him in the exercise of his magistracy. You may suppose I bowed consent. It was as droll a scene as I think could well be exhibited.

The company consisted of justice Manstein, justice Guzzle, justice Formal, Mr. Mittimus the clerk, Mr. Quirk an attorney, and myself.

As the business is transacted before dinner, justice Guzzle called for a dram, by way of *whet*, and a tankard of ale to stay his stomach.

My uncle, as senior justice, filled the elbow chair, at the top of a greasy wainscot table, supported by his worshipful brethren, and Mr. Mittimus at the bottom, opposite to him.

The first warrant returned, had been served on a poor labourer, who had a wife and seven children.—He was mowing, and accidentally struck the scythe into a hare. As he was carrying it home at night, he was unfortunately met by Mr. Rangeall's game-keeper: he seized the man and the hare, and brought them to the hall, where Mr. Rangeall stormed and swore that such scoundrel-poaching fellows deserved a halter more than Rockwood, whom he had ordered his huntsman that morning to hang for choaking sheep; and damn the dog, he would do for him.

They took the hare away from the poor fellow, and the game-

keeper was instantly dispatched to lay an information against him, and levy the penalty, or send him to jail.

The game keeper, the constable, and the labourer, appeared.

Mr. Quirk was employed by Mr. Rangeall, to attend the justices, that no lenity might be shewn to the offender.

The poor man's defence was simple, and truth on the side of it.

Mr. Quirk was very urgent to have the penalty levied, or the man committed to prison.

The honest labourer pleaded that if he was sent to jail, his poor wife and children, who subsisted wholly on his wages, must immediately come to the parish; and, with regard to the penalty, he had never been worth five pounds in all his life.

My uncle hated the severity of the game laws. Had the fellow brought the hare to him, he would have given him a shilling, and never asked how he came by it: but, to oblige Mr. Rangeall, he ordered the man to be fined five shillings, for the use of the poor of the parish.

"Your worship, I hope, remembers," says Mr. Quirk, "that the act of parliament, for punishing these offences, says five pounds."

"Pr'ythee," says my uncle, looking at him indignantly, "dont tell me of acts of parliament; I am his Majesty's representative, and shall do justice."

The next person produced, was a person charged with killing a farmer's goose, in a river, during the late hard frost. The fact being positively sworn to, the culprit was called upon for his defence.

"Ah please your worships," said he, looking down on the ground, and turning his hat with one hand upon the other, "I am nothing of a talker, but Mr. Quirk says my case is good, if your worships will please to let him speak for me."

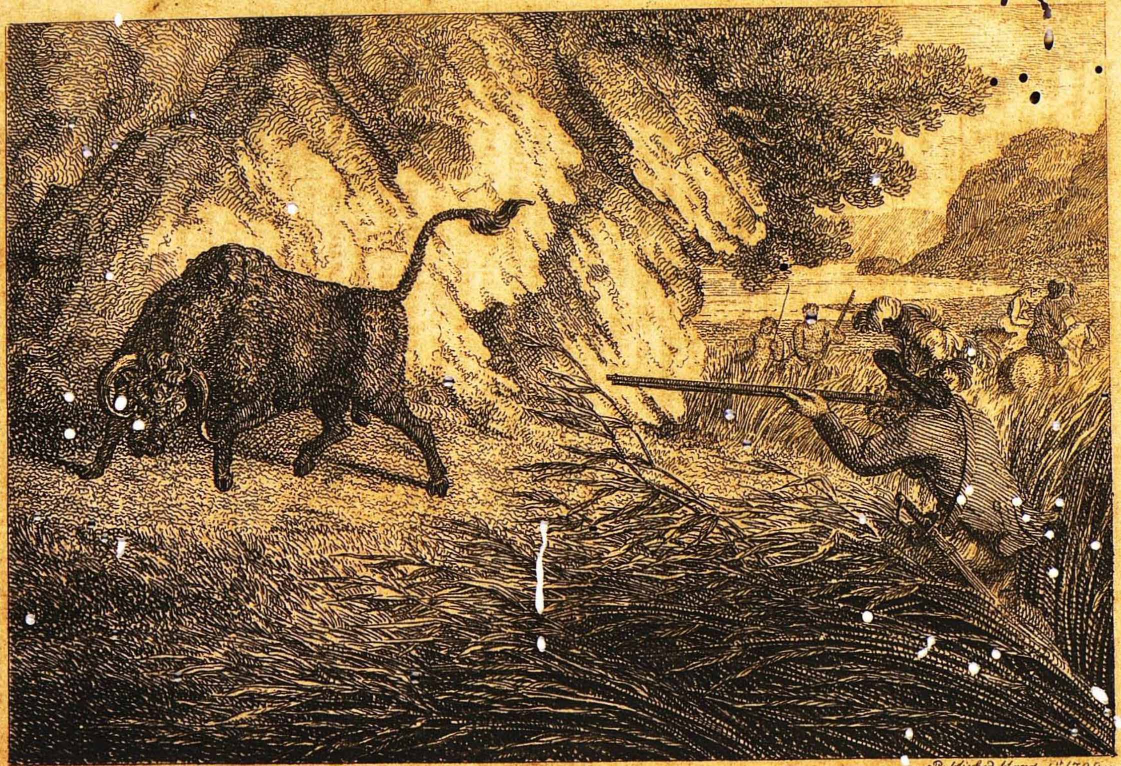
Mr. Quirk was permitted to state the case.

"An please your worships," said Mr. Quirk, stretching forth his left leg, and laying his hand on the table, in an erect attitude, to give an air of dignity to a figure rather diminutive—"An please your worships, I think the prosecutor to be sure is a very well-meaning and honest man, but he is, perhaps, a little mistaken in this matter. The case was this: John took his gun in the last frost, and went to the river to shoot wild ducks. Now, I apprehend, in submission to your worships, that wild ducks and wild geese, come not under the protection of the game laws.

"The bird in question—I will not call it a goose—this bird, I say, was on the wing; John shot, and unfortunately brought it down.—How could he tell it came from the farmer's yard? from the moment it quitted it's reclaimed quality of *anser domesticus*,* from that moment it became *feræ naturæ*,† and free for the first occupant. This, gentlemen, I take to be law; I have made it my study." He hemmed and looked important. "But, an please your worships, admitting the fact, that the bird in question was the property of the *forinsecus*,‡ there is a misnomer in the charge, as I have evidence ready to prove, upon oath, that it was not a goose, but a gander; and *fæmina pro mas*,|| must, in any court of judicature, quash the indictment, and nonsuit the plaintiff."

The justices looked very wise; they put their heads together; they agreed it was a difficult case, and did not chuse to decide upon it.—They ordered the parties, therefore to

* Tame goose.
† Of the wild kind.
‡ Out of doors.
|| Female for male.



Howitt i. et. e.

Published March 1st 1799.

BUFFALO-HUNTING.

See Vaillants first Journey Vol 1st Page 167.

to be bound over to the next ſeſſions.

Thus the meeting cloſed, and the whole of us adjourned to dinner.

Yours, &c.

THE BUFFALO.

An Etching by Mr. Howitt.

"IN a letter which Mr. Mulder wrote to me, he appointed a place of meeting, and propoſed that we ſhould amuſe ourſelves with fiſhing on the ſea ſhore, if ſuch an excurſion would not derange me: he promiſed to bring with him nets, and every thing neceſſary for our ſpending a week together on the coaſt; and he likewiſe informed me that his wife would be one of the party. This propoſal gave me great pleaſure; and ſoon after the arrival of the meſſenger, Mr. and Mrs. Mudder made their appearance, accompanied by an officer next under Mr. Mulder in command. One might have compared them to ſo many patriarchs on a journey; the latter on the bow of his ſaddle, over his piſtols, carried a young child four months old, which was ſuckled by his wife: they were all four on horſeback. His carriage, with his nets and baggage, had gone to wait for us on the ſea ſhore. Having ordered one of mine to be got ready alſo, I loaded it with my tent, one or two empty caſks, and every thing that I conceived would be uſeful to us for our miraculous fiſhing.

"When we reached the ſhore, after a few compliments, and the uſual ceremonies, we caſt our nets ſeveral times into the water, but always in vain, we ſcarcely caught any thing: and this exerciſe afforded amuſement to nobody. Reſolving, therefore, to proceed a little further, to a ſmall lake formed by the tide, where we hoped to be more ſucceſsful, we began to march forwards; but as I was much leſs curious in fiſhes than in birds, I ſhould have been ſoon tired of our ſport, had not the politeneſs of my friends, and the open and eaſy gaiety of the ladies, engaged a little of my attention. I, however, rambled a good deal about on foot, from one ſide to another, exploring every part around, with eager eyes, and not ſuffering either the air, the roads, or the trees to eſcape me. Having arrived at the borders of the lake, I ſought for a commodious ſpot where I might erect my tent; but an alarm, which we little thought of, had nearly deranged all our groteſque cavalcade. In croſſing a ſpot, covered with very high and thick reeds, the workmen, all of a ſudden, came upon a buffalo, which had laid down there to reſt. They were ſo near, that the animal, as much frightened as they by this unexpected apparition, in retiring, threw down the horſe of the under commander, and that of his wife. The conſternation became general, every one endeavoured to fly, and to make off as faſt as poſſible. Mr. Mulder's people, who were not much accuſtomed to buffaloes, being neareſt the water, plunged into it up to their necks. Mine, better trained to hunting, aſſumed a bold look; but the animal, ſcared by the ſight of ſo many people on all ſides, and not knowing where to fly, remained motionleſs, poſted againſt an enormous rock. On hearing the noiſe, I immediately ran up, but unluckily I had no other arms except my double-barrelled fuſee. It was not to be ſuppoſed that an ordinary ball would kill a buffalo. I, however, ventured to approach him, and to fire. As ſoon as I had diſcharged my piece, he quitted his poſition, and in a furious manner came ſtraight towards

me; but a second ball, which hit him instantly, damped his courage; he turned round, and passing near one of my oxen, which carried our kitchen apparatus, discharged all his fury on this peaceful animal, gave it two blows in the belly with his horns, and soon disappeared." *Vide vol. I. p. 169, Vaillant's First Journey.*

DESCRIPTION OF THE DIVERSIONS OF THE CHEROKEE INDIANS.

From Jones's Travels.

THESE people, like all other nations, are fond of music, and dancing; their music is both vocal and instrumental, but of the latter they have scarcely any thing worth the name; the tambour, rattle, gourd, and a kind of flute, made of a joint of reed, or the tibia of the deer's leg, constitute the principal part of their music; on this latter instrument they perform badly, and at best it is rather a hideous melancholy discord, than harmony. It is only young fellows who amuse themselves on these howling instruments; but the tambour and the rattle, accompanied with their sweet low voices, produce a pathetic harmony, keeping exact time together; and the countenance of the musician at proper times, seems to express the solemn elevated state of the mind; at that time there seems not only a harmony between him and his instrument, but it instantly touches the feelings of the attentive audience, as the influence of an active and powerful spirit; there is then an united universal sensation of delight, and peaceful union of souls, throughout the assembly.

Their music, vocal and instrumental united, keeps exact time with the performers or dancers.

They have an endless variety of steps, but the most common, and that which I term the most civil, and indeed the most practised and admired among themselves, is a slow shuffling alternate step; both feet move forward, one after the other, first, the right foot foremost, and next the left, moving one after another, in opposite circles, *i. e.* first a circle of young men, and within, a circle of young women, moving together opposite ways—the men with the course of the sun, and the females contrary to it; the men strike their open arm with their open hand, and the girls clap hands, and raise their sweet shrill voices, answering an elevated shout of the men, at stated times, of termination of the stanzas; and the girls perform an interlude or chorus separately.

To accompany their dances, they have songs of different classes, as martial, bacchanalion, and amorous, which last I must confess, are extremely libidinous; and they have moral songs, which seem to be the most esteemed and practised, and answer the purpose of religious lectures.

Some of their most favourite songs and dances, they have from their enemies, the Chactaws; for it seems these people are very eminent for poetry and music; every town amongst them tries to excel each other in composing new songs for dances, and by a custom amongst them, they must have, at least, one new song for exhibition at every annual feast.

They have a variety of games for exercise and pastime; some particular to the men, some to the female sex; and others wherein both sexes are engaged.

The ball play is esteemed the most noble and manly exercise.—This game is exhibited in an extensive level plain, usually contiguous to the town: the inhabitants of one town play against another, in

in consequence of a challenge, when the youth of both sexes are often engaged, and sometimes stake their whole substance. Here they perform amazing feats of strength and agility. The game principally consists in taking and carrying off the ball from the opposite party, after being hurled into the air mid-way between two high pillars, which are the goals, and the party who bears off the ball to their pillar, wins the game. Each person has a racquet or hurl, which is an implement of a very curious construction, somewhat resembling a ladle, or little hoop-net, with a handle near three feet in length, the hoop and handle of wood, and the netting of thongs of raw hide, or tendons of an animal.

The foot-ball is likewise a favourite manly diversion with them. Feasting and dancing in the square at evening, ends all their games.

They have besides, feasts or festivals almost for every month in the year, which are chiefly dedicated to hunting and agriculture.

CALCULATIONS ON LOTTERIES.

By Mr. Henry Proctor, of Masham, Yorkshire.

EXAMPLE I.

LET there be a Lottery, consisting of one hundred tickets, wherein are four prizes; it is almost 15 to 2 that in taking three tickets, they shall all come up blanks.

EXAMPLE II.

Suppose a Lottery, consisting of a great number of tickets, wherein are three blanks to a prize, and that you were to take seven tickets, then it will be 4,547 to 3,645, (nearly) almost 5 to 4, there comes out two prizes; and in taking thirty-one tickets, it will be in your favour that you get eight prizes.

EXAMPLE III.

There is a Lottery, consisting of ten thousand tickets, among which there are three particular prizes, and that if a person takes two thousand, then it will be 124 to 1 (nearly) that he don't get all the three prizes. And it is likewise to be observed, that it is 124,952,001 to 121,973,001, or a guinea to a pound (nearly) that there comes out none of the said prizes.

To the Editors *of the* Sporting Magazine,

GENTLEMEN,

THE approaching race between Diamond and Hambletonian, for 3000 guineas a-side, but upon which more than 10,000 are depending, will probably give occasion to some conversation amongst your country readers, especially those in the North, upon the speed of racers; I therefore, send you an account of the times, in which some of the best horses of the great sporting period, ran the four miles at York, for the guineas; which is the same length, within a few yards, as the Beacon Course at Newmarket. Your readers may depend upon the correctness of the account, as it was copied by myself from the notes of a very old frequenter of the turf, I might say, perhaps, the most experienced of his day, who was an eye-witness to all the races.

Your humble servant,

York, Feb. 2. POT8O's.

N. B. If you think this worth insertion, I shall send you a similar account of the 5 and 6-yr olds of those times.

YORK FOR THE GUINEAS.

SIX YEAR OLDS.

1734	*Min.*	*Sec.*
Mr. Carr's Dusty Miller	3	40

	Min.	Sec.
Captain Appleyard's Conqueror	9	0
1735.		
Mr. Wytty's Metiora	8	53
Lord Portmore's Crook	9	0
1736.		
Duke of Bolton's Goliah	8	29
1737.		
Mr. Panton's Cato	8	53
1738.		
Lord Wegmort's Scrutineer	8	55
1739.		
Mr. Procter's Smallhopes	8	58
1740.		
Mr. Haſſel's Surley	8	37
Mr. Morley's Ragmond	9	9
1741.		
Mr. Conſtable's Cottingham	9	0
1744.		
Mr. Routh's Othello	8	39
1745.		
Mr. Vavaſor's Champion	9	0
1746		
Mr. Hartley's Lemon	8	54
Sir M. Duke Wyvil's Primate	8	58
1747.		
Sir W. Middleton's Squirrel	8	45
1748.		
Lord Portmore's Highlander	8	50
1749.		
Mr. Jenniſon's J. Andrews	8	27
1750.		
Mr. Routh's Looby	9	28

A REMARKABLE INSTANCE OF RETENTIVE MEMORY.

WILLIAM LYON, a ſtrolling player, who was well known at Edinburgh about forty years ago, being one evening over his bottle, in company with more of his brethren of the theatre, wagered a crown bowl of punch, that next morning at the rehearſal he would repeat the whole of a Daily Advertiſer. The players, who conſidered this boaſt as words, of courſe only paid little regard to them; but as Lyon was poſitive, one of them accepted the wager. The next morning at the rehearſal, he reminded Lyon of his bet, imagining as he was drunk the night before, he muſt certainly have forgot it, and rallied him on his ridiculous boaſting of his memory.—Lyon produced the paper, deſired him to look at it, and decide on the wager. Notwithſtanding the unconnection of the paragraphs, the variety of the advertiſements, the general chaos which goes to the compoſition of a newſpaper, he repeated it throughout without the leaſt heſitation or miſtake.

SENTENCE OF THE COURT OF KING'S BENCH ON THE REV. MR. SHAW, FOR A LIBEL.

Feb. 9, 1799.

THE Judgment of the Court was moved againſt the Rev. Mr. Shawe for a libel upon William Blake Delaval, Eſq. an officer in the Somerſetſhire Voluntary Corps.

Mr. Erſkine addreſſed the Court in mitigation of puniſhment, stateing that the defendant was a clergyman in the dioceſe of the Biſhop of Bath and Wells; had ever preſerved an irreproachable character; was eminent for the purity of his manners and great learning; and was now fully ſenſible of the impropriety of his conduct. He urged various topics of extenuation; and truſted the Court would inflict a lenient puniſhment.

Mr. Garrow obſerved, if death-bed repentance would expiate offences, none of Mr. Erſkine's clients would ever ſtand in a ſituation to receive an exemplary ſentence. He had, in a former inſtance, had occaſion to remark how valuable the ſervices of the ſeveral volunteer corps

corps had been; that, under Providence, they had been the means of saving this country at the very crisis of it's fate; but that unless a proper degree of subordination was preserved in them, instead of a safeguard, they would become a nuisance. The corps to which the prosecutor belonged, was composed of some of the first gentlemen in Somersetshire; and, surely, the least they were entitled to who gave their voluntary services of their country, was respect from those whose professions excused them from such duties—what then had been the conduct of the defendant? He had, in the first place, attempted to sow dissention in the corps, by endeavouring to make them believe their officers had, without their authority, agreed they should serve abroad; and when the insinuation had been contradicted by Mr. Deverall, and the other officers, he had written him a letter, in which he had called him a liar and a coward; and had afterwards paid for the publication of the same libel in the various papers circulated through the country. Mr. Garrow urged the enormity of the offence, and pressed the Court for a severe punishment.

Mr. Gibbs followed on the same side.

The defendant, seemingly against the advice of his counsel, tendered an affidavit, which expressed no contrition for the offence, but merely that he had written a letter, stating, he had always been ready to submit the dispute between himself and the prosecutor to two gentlemen of acknowledged worth, by whose decision he would abide; that he was aware their difference had a tendency to infringe the laws of the country, which were justly jealous of the least approach towards a breach of the peace; and that he was anxious not to waste the valuable time of a Court of Justice in the investigation of a personal quarrel.

Mr. Justice Grose, addressing the defendant, said he was now to receive the sentence of the Court on a judgment by default, on an information charging him with wickedly and maliciously publishing a libel against the character of William Blake Delaval, Esq. with intent to incite and provoke him to fight a duel. The letter stated, that the pusillanimous and disgraceful conduct of the prosecutor, rendered it unnecessary to make any apology for publishing to the world, that he was a liar and a coward, and that he would on all occasions apply those epithets to him, unless he retracted his assertion, that he had attempted to sow discord among the corps. The information also contained a further charge for republishing the same libel in the newspapers. This charge (observed his Lordship) is a serious and an important one, either as it affects yourself, the prosecutor, or the public. On this record, you have confessed that you, a Clergyman of the Church of England, inattentive to the character of the prosecutor, and still more to your own, have used degrading and improper language, not merely to villify and insult him, but to incite him to challenge you, a Minister of the Gospel, to fight. Your crime is admitted; you have been guilty of publishing a libel, tending to that breach of the peace by which you would have been reduced to the chance of committing murder, or of being killed yourself; this might have been your only alternative. Whatever false notions of honour may dictate to the contrary, this offence ever has, and ever will be, severely reprehended by the laws of England, and needs only to be proved to be punished. In your offence there is considerable aggravation; your own sacred

office,

office, the situation of the prosecutor, the circumstance of your officiously and unwarrantably stateing to the corps, that the prosecutor and the other officers had made unlimited offers of service, thereby endeavouring to sow discord and dissention among them, and prevent the public availing itself of their exertions against the attacks of the common enemy. You are a minister of peace, and ought to preach the doctrines of patience, forbearance, and charity. If you have not done so, you have failed in your duty; if you have not set the example in your own conduct, and we all know how much better example is than precept, I repeat, that your offence is greatly aggravated by the situation of the prosecutor, an officer serving his country in the midst of war and dread of rebellion. Some men would have considered it a disgrace to have acted as he has done; they would have deemed it pusillanimity and cowardice to have resorted to the laws of their country; but men should learn that true courage consists in not daring to invade the law, but in spurning those false notions of honour which are founded on the basest passion in human nature, an intemperate desire of revenge. By your example, I trust, others will learn how improper it is to resort to that appeal by which the lives of many valuable men have been lost, who deserved a better fate. By your example, I hope others will learn that the laws are not to be violated with impunity, and that the higher the situation of the offender is, the greater will be his punishment. I have attended to your affidavit in mitigation, and can only say it contains no real contrition, no intention of real atonement. On this case, therefore, the Court doth adjudge you to pay a fine to the King of 100l. to be imprisoned one calendar month in the King's Bench prison; give security for your good behaviour for three years, yourself in 500l. and two sureties in 100l. and that you be further imprisoned till the fine is paid, and those recognizances entered into.

To the EDITORS *of the* SPORTING MAGAZINE.

SIR, *Cambridge, Feb.* 14.

THE following miraculous circumstance you may rely on as a fact, if you think it worthy of insertion in your Magazine. I am, Sir, your obedient humble servant, F. G. ROSS.

"As a poor woman who had been to Cambridge market, on Saturday the 2d instant, was riding home, viz. to Impington, about six o'clock in the evening, and being rather intoxicated, mistook the road about a mile from Cambridge, and got upon the lands, the horse at the same time taking fright, proved refractory, and dismounted her, who in pursuit of her horse wandered about the fields for a considerable time, till her strength was almost exhausted; at length she came to a small gravel pit with a hedge on one side, and finding herself sheltered from the inclemency of the wind, sat herself down and went to sleep. The next morning when she awoke, she found herself completely buried in the snow, and as her feet were very numb, and her strength much debilitated, had not power to extricate herself from her deplorable situation; in this state she remained, till Sunday, Feb. 10, (though a diligent search was made for her daily) a space of eight days, when two young men who were shooting wild geese, discovered a small hole in the snow, occasioned by her breath, wherein one of them having

having the curiosity to look, saw the woman, and exclaimed—"here she is, and alive"—They immediately procured assistance and carried her home, where she is likely to recover, but the professional gentlemen who attend her, think it will be with the amputation of both legs.—She relates every circumstance which attended her unfortunate situation with great accuracy, as her senses have not been impaired since the accident happened:—she says, the first four days she inhabited the pit, she experienced no great inconvenience or pain, but at the expiration of that time the pain daily increased: still she felt some little alleviation from her anxiety by reading an almanack (which she had bought at Cambridge), wherein she found the moon would soon change, and not improbably the weather; she several times heard people pass by her, and endeavoured to make them sensible of her situation, but the organs of speech were so very weak, that this effort proved ineffectual; however, she resolved to try every expedient which her mind suggested, and her situation would admit, and tried another, which was by tying her handkerchief to a stick, and forcing it through the snow, in expectation that somebody might see it, and relieve her from her frigid condition; but this also failed. Snow was the whole of her subsistence; and when the wind would admit, she distinctly heard St. Mary's church clock strike, and likewise saw the shades of flocks of sheep feeding in the field, through the hole in the snow, which acted, when the sun shone, as a camera obscura; this was verified by the shepherds, who declared that their sheep were feeding near that place on the days she mentions. Thus ends her eventful history.

COURT MARTIAL.

On Monday, February 11, a General Court Martial assembled at the Castle Tavern, in Brighton, for the trial of Major Peter Beaver, of the Hants Regiment of Fencible Cavalry, on the following charge.

The members who composed the Court were—

President, Major-general Whyte.

RIGHT.

Colonel Coote Manningham, 41st foot.

Lieutenant-colonel Smith, Royal Artillery.

Major John Waldouse, 7th Light-Dragoons.

Captain William Fuller, 10th Light-Dragoons.

Captain Robert Evans, Royal Artillery.

Captain Nichol Erwing, Lanerk Fencible Cavalry.

Captain Christopher Johnston, 17th Light-Dragoons.

LEFT.

Lieutenant-Colonel Hadden, Royal Artillery.

Major William Jephson, 17th Light-Dragoons.

Major Thomas Gooch, 10th Light-Dragoons.

Captain Ramsay, Royal Artillery.

Captain William Millar, Royal Artillery.

Captain Samuel Harris, Cinque Port Cavalry.

Captain Edward Kerison, 7th Light-Dragoons.

CHARGE.

"Scandalous and infamous behaviour, unbecoming an Officer and a Gentleman, in having declared on oath that he had not any other place or employment, civil or military, under his Majesty, besides

besides his allowance of half-pay as a reduced captain in the 2d battalion of the 7th regiment of Foot, during the respective periods hereinafter mentioned, viz. between the 24th of June, 1796, and the 25th of December following; between the 24th of December, 1796, and the 25th of June, 1797; between the 24th of June, 1797, and the 25th of December following; and between the 24th of December, 1797, and the 25th of June following, notwithstanding he was in receipt of full pay from his Majesty, by virtue of his commission as Major of the Hampshire Regiment of Fencible Cavalry, during the whole of the said respective periods for which he received half-pay; and having thereby corruptly obtained several sums of money, to which he knew himself at the time not to have been entitled."

The Members and Deputy Judge Advocate (J. C. Michell, Esq.) being sworn, the Court proceeded to hear evidence in support of the charge, by which it was clearly proved that the Major had made the affidavits alledged, not indeed with a corrupt intention, but merely through error, and a want of knowledge of the forms used on these occasions.

The prosecution being closed, the Court was adjourned until the next morning, at eleven o'clock, when the prisoner was directed to enter upon his defence.

On Tuesday the Court met pursuant to adjournment, when Major Beaver produced a long written defence, which, by permission of the Court, was read by Mr. Const, counsel for the prisoner, and maintained on the following grounds, viz. that prior to the Major's admission into the Hants Fencibles, it was suggested that his acceptation of a commission therein, would not deprive him of his half-pay; he therefore was admitted a subaltern, and in that rank was entitled to it; he at that time gave unqualified receipts, similar to the receipts adverted to in the charge, one of which was entered on the minutes, that therefore he was innocent of any unjust imputation, being ignorant of the offence committed.—That when at the Army Pay-Office the error was discovered, he, by his attorney, Mr. Pedder, had offered to refund the money he had so received, and a treaty between them was upon a tapis of a negociation, when in the intermediate time an anonymous letter was sent to the War-Office, which occasioned the present enquiry.

Major Beaver next proceeded in his defence, by calling Colonel Everett, of the Hants Regiment of Fencible Cavalry, who was examined as follows:

Q. How long have you known Major Beaver?

A. More than twenty years.

Q. What is your opinion of the Major's character and conduct since you have known him?

A. My acquaintance began with him when he was a captain in the 25th regiment of foot. From his known good conduct as an officer then, and his character as a gentleman, on my first raising the corps which I have the honour to command, I earnestly solicited him to accept a commission in it, that I might profit by his experience as an officer, and his conduct as a gentleman, to assist me more effectually to complete the intentions of Government. His abilities have been of the most essential service; and such an opinion have I of his integrity and honour, that I do not think he would intentionally have committed the act with which he stands charged.

Lieutenant-colonel Dacre, Captain Chute, and Captain Fetheringham, all of the Hants Fencibles, were likewise examined, every sentence

ſentence of whoſe teſtimonies ſounded as panegyrics on the character and conduct of Major Beaver; who having cloſed his defence, bowed, and retired.

The room was then cleared, and ſentence being ſoon after agreed upon, the Court was diſſolved.

N. B. The ſentence will not be made public, until the proceedings have been laid before the King—the reſult ſhall appear in our next Magazine.

A CHALLENGE.

COURT OF KING'S BENCH.

WEDNESDAY, FEB. 6.

The King v. Holmes.

MR. Chambre ſaid, he was to ſhew cauſe againſt this Rule, which was obtained on the motion of Mr. Erſkine, and which called on the defendant to ſhew cauſe why a criminal information ſhould not be filed againſt him for ſending a challenge to a Mr. Watſon, who was Major Commandant of a volunteer corps, of which the defendant was Captain.

It was impoſſible for him to deny that what had paſſed on this occaſion did not amount to a challenge; but he hoped, unleſs the counſel for the proſecutor would be ſatisfied with the propoſal he had to make on the part of the defendant, the Court would think there was no abſolute neceſſity for this extraordinary interference of the Court in this caſe. The quarrel, out of which this application to the Court had ariſen, happened when the parties were upon the parade, and it was impoſſible for him, as counſel for the defendant, to ſay he could juſtify the conduct of his client on this occaſion. The defendant, with the leave of the proſecutor, Mr Watſon, left the corps, and afterwards wrote the letter in queſtion, which was properly conſtrued into a challenge, and upon which this motion was made.—The terms, however, of this letter, were ſo ambiguous in the opinion of Mr. Watſon himſelf, that he was unwilling to conſider it in that light, and he aſſigned a good reaſon for being in doubt, for when the defendant wrote it, he was in a ſtate of intoxication. The proſecutor, therefore, gave him an opportunity either of avowing, or retracting that letter. That was a very proper ſtep on the part of the proſecutor, but the manner in which it was done, was not altogether ſo commendable, nor was the time ſo ſeaſonable as could have been deſired, for he ſent a military officer, an Enſign of the corps, before the defendant's intoxication was over, for it was the ſame day. This officer bore a meſſage to the defendant, telling him his meſſage was ambiguous, and deſiring him to put off all doubt from it, for that the conduct of Mr. Watſon would be regulated by the defendant's anſwer. The defendant was hardly allowed fair play in this caſe, for the temper he was in was likely to induce him rather to avow than retract the letter, and the proſecutor ought to have been aware of this, becauſe the defendant was at this time at a place where his intoxication was not likely to abate, a public houſe; here, in ſuch a condition, he did that, which although blameable, might have been expected; he avowed the letter. The meſſenger then aſked, if he ſhould deliver this meſſage?—"No," ſaid the defendant, "I will write to him to-morrow morning." It appeared by the affidavit of another perſon, that he was to be the defendant's ſecond, but he made that promiſe to the defendant, under the idea of appeaſing him, and that he might alter his mind when he cooled

cooled upon the subject. The answer of the defendant in the morning was—"That any gentleman might understand his letter." This letter, although sent the next morning, must have been written the night before, nor was there any proof it was in the defendant's hand writing.—Besides this, Mr. Watson applied to Lord Stamford, the Lord Lieutenant of the county, upon this subject. That noble Lord referred the case to three gentlemen, who decided the matter against the defendant; they made their report to his Lordship, and Mr. Holmes was dismissed the corps. This was a reason why the Court could not interpose in this affair, since, as the defendant and the prosecutor were not in the same company, they were not in the way of one another. Mr. Holmes was one of the most active persons in raising this corps, and in promoting its interests, for he and the prosecutor had been in the constant habit of appropriating all the money they received, as pay, to the men in the corps between them; and it was upon a point relating to that practice, that the difference arose between the parties. He would now make a proposal on behalf of the defendant: he would refer the whole of this matter to the same three gentlemen who had decided against him already in the former part of the case. If gentlemen would not agree to this, he hoped the Court would not interfere between them, but leave the prosecutor to his remedy in the usual course of the law.

Lord Kenyon said, that as there was no answer given to the defendant's proposal, the Court ought to make the rule absolute.

Mr. Erskine said, that this was an offence which the due subordination of the service required to be taken notice of, and unless persons were punished for these irregularities, there would be an end of all safety in the military service. The prosecutor was not to pass this matter over.

Rule absolute.

FRACAS AT THE MOUNT-STREET COFFEE HOUSE CLUB,

As investigated in the trial of an action at law for an assault, before Lord Kenyon and a special jury, in the Court of King's Bench, February 19, 1799.

The parties—Colonel Smith, plaintiff—Mr. Ardley, defendant.

MR. Erskine stated, that the plaintiff was a military gentleman, a Colonel, formerly in the service of the East India Company, and the defendant a gentleman of fortune. They met frequently at the Mount-street coffee-house, for the purpose of playing a game at whist with a select number of friends, and of course an intimacy took place between them. It happened that the defendant had deposited the sum of 1000l. with a Mr. Smith, a stockbroker, who was recommended to him by the plaintiff, for the purpose of answering such loss as might occur upon such stock-jobbing speculations as Smith, his agent, might enter into on his behalf. There was a loss of 1010l. which the broker paid, but the defendant insisted upon having the whole of the 1000l. back, without giving any credit for the loss, and in fact, brought an action against him, which ended in a compromise on his part to pay 500l.

Colonel Smith, who had recommended the broker, heard of this transaction, and deeming it highly dishonourable, told the defendant it was necessary he should vindicate his character. His conduct was afterwards represented to the club, who were of opinion, unless the

the business was satisfactorily cleared up, the defendant was an improper person to continue one of their members. On the 13th of November last, the club had met as usual, and the plaintiff and defendant were present. About a quarter of an hour after they had met, the plaintiff was called out of the room, and when he returned, he said a challenge had been brought him from the defendant; but he referred to the company whether he ought to give him the satisfaction of a gentleman, till he had justified his character from the imputation thrown upon it. The defendant then advanced, and exclaimed, that the propagators of the report were liars and scoundrels. The plaintiff asked, if he meant to call him a liar, to which the other replied, that he and all those who had circulated the report were liars. The plaintiff rose up, but by no means in a menacing attitude; upon which the defendant advanced towards him in a violent passion, and struck him so severe a blow, with a knotted stick, that his skull was laid bare. It appeared the defendant had brought the stick with him, for the express purpose of using violence.

The Gentlemen composing the club substantiated the above facts.

It was proved the defendant was a man of considerable property, and that he had lately sold out of the funds to the amount of 15,000l. in order to avoid the operation of the Income Act.

Mr. Percival made a very eloquent defence, attributing the assault to the improper conduct of the plaintiff, in bringing the subject before the club, after it had been arranged and settled between the defendant and the broker. He thought the plaintiff had not had recourse to that mode of prosecution which he ought in such a case as this to have adopted. Instead of bringing an action for the recovery of a pecuniary compensation, he should rather have proceeded by a criminal information against the defendant, for the offence against the public peace.

Lord Kenyon said, whether this mode by civil action, or that by criminal information were the most proper, he would not decide; but this he knew, that the plaintiff in the present instance had made out his case by witnesses, whereas, if he had resorted to a prosecution by criminal information, he might have been examined himself, and given a much stronger colouring to the transaction; but he rather chose to refer to the evidence of the common friends of both parties. If the administration of justice, said his Lordship, could put an end to that relict of barbarism, the practice of appealing to arms to decide private quarrels, happy would it be for this country: the dreadful misfortune which such a practice brought on the individuals engaged in it, were the least to be considered, though it was of no light moment for men to be sent to their account unanointed, with all their imperfections on their heads. The relations and families of such as thus lost their lives, were those who experienced the most misery, by being deprived of their parents and guardians. If the law, therefore, could put an end to, and curb such a practice, happy would it be for the community. He saw no reason why, as a polished nation, we should keep up a system founded in false notions of honour. There had been other countries, equally polished as ours, where no such practice prevailed. In the days of Greece and Rome, we frequently read of very taunting and bitter expressions being used, but there was no instance on record of any one spilling the blood of his fellow creature, in consequence of them. It had been said, this was an

an action for civil damages, though for an injury to society; but if a civil action could tend to a general good, it ought to be encouraged. It was to be recollected that much general good had been done by damages given to individuals on questions of a different nature; he trusted they would produce the same effect in this.

The Jury consulted a few minutes, and returned a verdict for the plaintiff, with 500l. damages.

THE GAME OF CHALLENGE.

SITTINGS BEFORE LORD KENYON IN WESTMINSTER HALL.

TUESDAY, FEB. 20.

Whaley, Esq. v. Egan, Esq.

THIS was an action for the recovery of a sum of money, upon what is called in Ireland a *challenge*, that is to say, when a company are over their bottle, if any one has a mind for any article which is the property of the other, and wishes to purchase it, he therefore challenges it, as the term is, and then the other is obliged to challenge some article belonging to the first challenger, then each puts his hand into his pocket; if both of them take out their hands empty, the challenge is at an end; but if they take out money, then the challenge is referred to an umpire, to whom each of the parties pays sixpence for his umpirage; and he directs the parties to change the two articles thus challenged by them, and directs also whether any, and what sum is to be given by one of the parties to the other.

In this case the plaintiff challenged the defendant's *coat*—the defendant challenged the plaintiff's *watch*; the umpire determined that the plaintiff should have the defendant's coat, and the defendant should have the plaintiff's watch, and that the defendant should moreover give to the plaintiff fourteen guineas, fourteen half-guineas, fourteen crowns, fourteen half-crowns, fourteen shillings, and fourteen sixpences. The Counsel for the plaintiff observed, that there was no stamp required for this award—no submission to the arbitration to be made a rule of Court—no master's allocator—indeed much expence was here to be saved. This, he should observe, however, was in Ireland, and a common custom there, by which the parties had agreed to be bound.

An officer in the King's service was called to prove this bargain, or challenge, between the parties; but it appeared by his testimony, that the affair took place at a tavern at Wexford about four years ago. That the defendant did not understand the business of the challenge so well as the plaintiff did; that he doubted whether the defendant was in earnest at this challenge; that he understood at first the plaintiff's watch was gold, capped and jewelled, but afterwards understood it to be only metal; that he was the umpire in this challenge, but that instead of fourteen, he had ordered twelve guineas, twelve half guineas, &c. to be given by the defendant to the plaintiff, and the parties were also to have a leg of mutton and trimmings together.

Without going further into the case, as there was a variance between the averment in the declaration, and the evidence, namely, the one stating fourteen guineas, fourteen half-guineas, &c. the other twelve of each, Lord Kenyon was clearly of opinion the plaintiff ought to be nonsuited.

Plaintiff nonsuited.

THE

The DUTCHESS *of* GORDON'S BALL.

THE festive portals of the *bonny Dutchess*, notwithstanding the many who were detained in the country by the inclemency of the weather, received on Friday evening, February 8, upwards of three hundred of the most fashionable company in town. This *fete* was given to introduce Lady Georgina, her Grace's youngest daughter, into fashionable life, her Ladyship having been presented on the preceding day to her Majesty. Fair and lovely as the rest of the Dutchess's female offspring are undoubtedly, Lady Georgina, like

" A Flower just opening to the view,"

Seems to out-rival them all. Her eyes with magic power endued, fired many a youthful heart, and produced many a wistful glance; but on all she

" Smil'd like a knot of cowslips on a cliff,
" Not to be come at by the willing hand."

Her Ladyship opened the ball with Lord Petty, the youngest son of the Marquis of Lansdowne. Her fascinating form, grace of gesture, and pleasingness of manner, aided by the animating strains of Gow, quickly inspired the whole company, and made them totally forgetful of the severity of the season, or the cares of the world.

The country dances continued without interruption till about three o'clock, when the supper rooms opened with a variegated display of taste and profusion.—Mirth and plenty reigned around. The noble hostess herself, who was all attention, pleasantry, and conviviality, looked not for these ten years past more engaging or more youthful. The Marquis officiated as landlord; and where he presides, hilarity and good humour are diffused on every countenance.

The ladies, eager to resume the mazey dance, soon summoned the gentlemen from the supper table.—After two or three country dances, Scotch reels commenced, which did not finish till six in the morning, when each with seeming regret separated from a society in which all were delighted.

His Royal Highness the Prince of Wales, apparently a little indisposed by a cold, departed at an early hour, accompanied by his brother Prince Edward.

For beauty and splendour of dress, many were conspicuous—for elegance and agility of dancing, not so many. Of the ladies, besides the incomparable Lady Georgina, the Hon. Miss Edens, the Miss Fordyces, Miss Forbes, &c. —Of the gentlemen, the Marquis of Huntley, the Earl of Morton. —Mr. Sheridan, jun, &c. exhibited the Caledonian step with all the grace which nature and art could bestow.

ANECDOTE OF ADMIRAL BOSCAWEN.

ADMIRAL Boscawen acquired the name of *Old Dreadnought*, by the following circumstances :—

When captain of the Glory frigate, cruizing off Madeira, he singly met three ships, two Spanish and one French, the latter of more than equal force. Captain B. was asleep, when his lieutenant went down to awake him, it being in the close of the evening, and asked him what he must do? "Do! O d—n ye, fight them to be sure!" The captain came immediately upon deck in his shirt, in which situation he fought near two glasses; when the enemy finding they must be taken if they continued the contest, sheered off, under cover of the night.

Admiral Boscawen was afterwards lying off Gibraltar, to intercept a French fleet that was in the Mediterranean;

Meditęrranean; he wrote to Captain Barton, who at that time commanded the Litchfield, that the enemy was near, and at the ſame time enclosed a liſt of the French fleet, but took particular notice of a new 74 gun ſhip which they had, and added, "Barton, may I be eternally d—n'd if I do'nt take that ſhip, and enſure to you the command of her!" She was the firſt he took in that engagement, and he procured the command of her for Captain Barton.—Such was the intrepid ſpirit of that brave man, and the punctual exactneſs of his promiſes.

THEATRICALS.

AMERICAN THEATRICALS.

BOSTON, DEC. 10.

FEDRAL - Street Theatre.—By particular deſire, this evening will be preſented for the ſecond time, a comedy called

CHEAP LIVING.

Written by the author of "The Dramatiſt," "Speculation," &c. &c. and now performed in London with the moſt unbounded applauſe.

Sir Edward Bloomly, Mrs. Hodgkinſon; Scatter, Mr. Harper; Farmer Cole, Mr. Kenny; Old Woodland, Mr. Turnbull; Young Woodland, Mr. S. Powell; Harry, Mr. Kedey; William, Mr. Price; Servants, Meſſrs. Homer and Hunt; and Spunge, Mr. Hodgkinſon:—Mrs. Scatter, Mrs. Simpſon; Stella, Miſs Brett; and Elinor Bloomly, Mrs. S. Powell.

To which will be added, a Muſical Piece, in one act, called

THE LAUNCH;

Or, Huzza for the Conſtitution.

Written by John Hodgkinſon.—With alterations, and an entire new ſcene.—The Muſic ſelected from the beſt compoſers.—The whole to conclude with a ſtriking repreſentation of launching the frigate Conſtitution—boats paſſing and repaſſing on the water—view of the river of Charleſton, and the neighbouring country, taken correctly from Jeffrey and Ruſſel's Wharf.

Ned Grog, Mr. Hodgkinſon; Lieutenant Conſtant, Mr. Williamſon; Old Lexington, Mr. Turnbull; Old Bunker, Mr. Prigmore; Fribourg, Mr. Kenny; Jack Hawlyard, Mr. Munto; Tom Bowling, Mr. Kedey; Sam Forecaſtle, Mr. Price; Iriſhman, Mr. Simpſon; Scotchman, Mr. S. Powell; and Nathan, (with a new Yankee Doodle) Mr. Harper; Mrs. Lexington, Mrs. Brett; and Mary, Miſs Brett.

In the courſe of the piece, Miſs Green will dance a Sailor's Hornpipe, dreſſed as a young tar.

CRITICISM ON THE CASTLE SPECTRE, AS PERFORMED AT BOSTON, IN AMERICA.

THE rage for the *Caſtle Spectre*, reflects much honour on the taſte of the public, for we believe there has never been exhibited, on any Engliſh ſtage, a drama, which combines in ſo happy a manner, ſuch ſcenic ſpectacle, with ſuch energy of language; or ſuch variety of character with more adequate repreſentation. We have had frequent occaſion of admiring the verſatile talents of Mr. Hodgkinſon; but we have never ſeen his powers educed with the irreſiſtible energy and chaſte diſcrimination, which diſtinguiſhed his *Oſmond*. It is a ſtrong-featured character, and requires more exertion and genius to ſupport it than *Richard III.* Mr. Cooper's *Hamlet* has been highly applauded by American critics,

critics, and with justice, as a master-piece of tragic acting; but Mr. Hodgkinson's *Osmond*, has made his *Ossa like a wart*." Mrs. Whitlock represented *Angela*, with great feeling and character. In the last scene of the fourth act, her sensibility carried her to a pitch of excellence, which astonished her most sanguine admirers. Mrs. Powell's *Spectre* had much *spirit*, and though a *Ghost*, was by no means a *shade* in the picture. Flesh and blood must indeed be lovely, when its unsubstantial *semblance* can afford such pleasure.—Some sceptics have denied that the " hearsed body can burst its cearments." To such we will only say—*to night the Spectre walks again!*

THEATRICAL ANECDOTE.

A late popular character, of great eccentricity, encountered many difficulties in the earlier part of his theatrical life. Upon one occasion, his musicians, for non-payment of long arrears, got possession of his wardrobe, and he was deserted by all his vocal performers. —In this reduced condition, he had to open the winter campaign, at a provincial theatre. Previous to the drawing up of the curtain, he stepped forward, and thus addressed the audience.—" Ladies and Gentlemen! hem!—hem!—Some great writer observes—hem! hem!—that, in order to be well entertained, at any public spectacle, a man should carry with him a disposition to be pleased:—I have to apologize:—hem!—The extreme *frigidity* of the season has *operated* so severely on the throats of my *warblers*, that I have not a *voice* and a half left in my whole company; and my *catgut scrapers* have stopped at the last town, to *take care* of the *wardrobe*! If you will kindly excuse the want of *music* and *dresses*, we shall do every thing in our power to *please* you."

CASTLE SPECTRE.

A few nights ago, at a country theatre, instead of the sublime and *visionary* chorus, which, on the boards of Drury, accompanies the ghost of *Evelina*, on her visit to her daughter—happy expedient!—a good plain *psalm-tune* was substituted!—which being given with all the *pathos* of one *solemn*, solitary *fiddle*, produced a very *extraordinary* effect. " To be sure, it did."

DRURY-LANE THEATRE.

A new Comic Ballet, called *Moggy and Jemmy*, was performed, for the first time, at Drury-lane Theatre, on Tuesday evening, Feb. 5, with much applause. The story is Scotch, and the plan is in some degree similar to that of the *Scotch Ghost*. Little Del Caro is the heroine of the agile scene.

Thursday night, February 14, Shakespeare's admirable Comedy of *As You Like It*, attracted a very numerous audience. The only novelty was the representation of *Jacques*, by Kemble. He supported it throughout with much ability, but in many passages his performance displayed more of cold correctness than genuine feeling. In justification of the sombre shade which he threw over the whole of the part, he had recourse to the original text, and restored some lines which amply bore him out. Mrs. Jordan's *Rosalind* was highly applauded, and her song unusually encored.

SURREY QUARTER SESSIONS.

The King v. Astley. Jen.

An indictment having been preferred by Mr. Rees, of Covent Garden Theatre, for an assault, the charge was clearly proved against the defendant.

It

It appeared in evidence, that Mr. Aſtley did, on the King's high-way, oppoſite his own door, aſſault and ſtrike Mr. Rees. The defence ſet up was, that Mr. Rees had given an imitation of him at the Royal Circus. The court obſerved, that if Mr. Aſtley had ſuſtained any injury from Mr. Rees, he ſhould have purſued legal meaſures, and not have taken the law into his own hands, and accordingly gave their verdict—*Guilty*. The court impoſed a penalty of 5l.

Mr. Rees's evidence, which was given with his uſual imitative humour, cauſed much riſibility in the court, for in giving the neceſſary deſcription of the aſſault, he alſo gave the manner of Mr. Aſtley, ſo happily, that many in the court, who could not ſee him, thought that it had been Mr. Aſtley himſelf.

For the Sporting Magazine.

IN our Magazine ſome time back, we ſtated, from undoubted authority, that a pike had been obſerved to gorge a ſwallow, in a pond, near this place; a circumſtance which we have reaſon to believe, ſome readers thought of too extraordinary a nature to credit. If ſo, what will thoſe ſceptics think of the following fact, equally to be depended upon, and ſtill more extraordinary?

A few evenings ſince Mr. Verral, attorney of this place, ſhot in our river, near the bank at the oppoſite ſide of the water, a moorhen, which he could not encourage his dog to fetch out, and was in conſequence about to leave, when, like a fiſherman's float, he obſerved it bob up and down, and immediately after move rapidly towards him, for which he was at a loſs how to account, (being certain that he had killed the bird) until on its nearer approach, he diſcovered, that he was indebted for its favourable motion to the friendly aſſiſtance of a pike, that had ſeized and brought the moor hen within reach of his arm, which he extended to ſave the bird from being gorged, and thereby occaſioned the fiſh to quit his prey and eſcape, though he was in no danger, as Mr. Verral had not reloaded his gun; otherwiſe the finny ſtranger might have paid dear for his good ſervices.

A BATTLE TERMINATED IN WESTMINSTER HALL, BEFORE LORD KENYON, AND A COMMON JURY, FEB. 20, 1799.

Benton v. More.

THIS was an action for aſſault. Both parties had been drinking—the defendant was much intoxicated. They both went into the ſtreet, by agreement, to fight; had ſeveral blows and falls—the defendant faſtened his hands in the plaintiff's hair, which is called unfair fighting. One of the company that was looking on, ſtampt his foot upon the defendant's throat, to compel him to let go his hold; the defendant, in the ſcuffle, bit the plaintiff's finger off; and this was an action for damages for that loſs.

Lord Kenyon ſaid, it was formerly doubted, whether, when two men agreed to fight, one of them could bring an action for an aſſault againſt the other, but it had been decided that ſuch an action might be brought, and was maintainable; but the queſtion of damages was to be governed by the conduct of the parties. It was ſtated alſo by Mr. Juſtice Foſter, that if two perſons fence with foils, or play with cudgels, and one happens by accident to kill the other, it ſhall not be deemed murder, although

although the act was improper in its commencement, for it was intended merely to shew manliness and athletic power. But, although the law allows either of the party to bring an action for assault, yet the damages must be governed by the circumstances of the case, and particularly the conduct of the parties. —Here one man had nearly been pressed to death, and the other lost his finger. To give any thing but nominal damages would be unjust, and to ask it was shameful.

Verdict for the plaintiff—Damages 1s. No more costs than damages.

ELMER'S SPORTSMAN'S EXHIBITION.

IN a newspaper, the *County Chronicle*, of the 5th ultimo, we first met with the following article:

"An exhibition of a new and very singular description is on the point of being opened in the Haymarket. It consists of between one and two hundred pictures of birds, beasts, and fishes, by the late Mr. Elmer, of Farnham, in Surrey. This modest, unassuming, and admirable artist, retained for more than half a century the first rank in that branch of the arts which he professed and practised. In laborious and high-finishing he may have been equalled by some of the Flemish and Dutch painters; but in accuracy of drawing, character of the species, and spirit, he excelled them all. He died a short time since, at eighty-two years of age. The pictures, which were not disposed of at his death, among which are some of the best he ever painted, will be submitted to public inspection as *The Sportsman's Exhibition.*"

This intimation, next led us to enquire when the exhibition was to take place.—We found, upon enquiry, that every preparation had been made, and the doors ready to be thrown open.—A catalogue has been obtained, but the pictures have not yet been inspected by us.

Our readers will most likely be pleased with the introductory address which precedes the catalogue, as well as with the catalogue itself; for which reason we shall give the whole, except the advertisement part of the conditions, which goes to inform the public that the pictures are to be sold, &c. &c.

Catalogue of the Pictures of Mr. S. Elmer, Associate of the Royal Academy, deceased: which are now exhibiting for private sale, at the Great Room, No. 28, in the Haymarket.

INTRODUCTION.

To exhibit a collection of pictures of dead pheasants, partridges, hares, and the numerous *etceteras*, of what painters term *still life*, may, at first sight, seem to demand some apology: but, to those who have seen the productions of the late Mr. Elmer, such apology ceases to be necessary; and those who have not, may be convinced, by inspecting the pictures in the following catalogue, that such subjects, in the hands of such a master, acquire an interest, and assume an importance, little inferior to the higher and more dignified branches of the art.

To blazon the merit of Mr. Elmer, in the branch he professed, is scarcely necessary. His talents were, for more than half a century, universally admitted, and universally admired. Instead of resorting, as many other artists have done, to the pictures of animals, painted by Flemish and Dutch masters, he took nature, *English nature*, for his model; and in his works she appears as in a mirror.—Of an ancient

ancient painter we are told, that he painted a bunch of grapes, with such resemblance to nature, that the birds flew and pecked at it. Whether this be true or false, Elmer carried his art still farther; for, when a lady of rank once called at his house at Farnham, and found the artist employed in painting a brace of partridges hanging up, she exclaimed — "No wonder, Mr. Elmer, that you succeed so well in your pictures, for I perceive you paint from nature."—"Not now, Madam," replied the artist, "not now—for I am copying a picture I painted last year," and at the same time lifted from the easel the picture which he was copying, and which she had mistaken for two real birds.

From the above circumstances and many more might be enumerated, it is respectfully hoped that this collection will excite some attention. It consists of pictures in a branch that has not been much cultivated in this country; but as a true votary of nature admires her in all her varieties.—Though the feathered tribe,

> "That plough with busy wing the peopled air,"

May not be quite so consonant to the studies of an inhabitant of this great metropolis, as some other subjects, even he, will find much to admire, and the sportsman, it is presumed, will here find such a collection, as was never before presented to the public, and must be to him eminently interesting. Gentlemen of this class are qualified to judge of some peculiar excellencies not so obvious to the common eye; for, as it will require no small portion of skill to detect errors in the works of this artist, a man must possess a considerable portion of knowledge to discover all their beauties.

CATALOGUE OF THE PICTURES.

Lot

1–4 Four different scenes of cock-fighting

5 Brace of pheasants
6 Heron
7 Dead bittern, duck, and cock pheasant
8 Pointer
9 Dead hare, &c.
10 Brace of dead pheasants
11 Strawberry girl
12 Hare alarmed by the hounds
13 Old miser
14 Dying pheasant (from Pope's Windsor Forest)
15 Boy feeding young birds
16 Dog attacking a cat and kittens
17 Dead hare
18 Flowers
19 Brace of French partridges
20 Flowers
21 Perch and a roach
22 Brace of dead woodcocks
23 Flowers
24 Brace of dead partridges
25 Sparrow hawk
26 Hebride pheasant
27 Cat and group of fish
28 Brace of live partridges
29 Brace of tench
30 Pair of ring doves
31 Basket of fruit
32 Lobster, crab, oysters, &c.
33 Brace of dead partridges
34 Sea swallow
35 Fruit
36 Pigeon
37 Dead teal, partridge, and wood pigeons
38 Fruit
39 Dead hare, hen pheasant, and partridges
40 Fox and pheasant
41 Covey of partridges
42 Brace of live pheasants
43 Dead hare and hen pheasant
44 Boy, dog, and dead game
45 Gold pheasants
46 Fruit

Lot
47 Live woodcocks
48 Dead pheasant, and king's fisher
49 Small birds
50 Water rail
51 Three partridges
52 Gurnitt, whiting, &c.
53 Fruit
54 Old pedlar
55 Peaches and grapes
56 Plumbs
57 Brace of ring pheasants
58 Hare in her form
59 Grapes, and a groupe of dead game
60 Kite and partridge
61 Spaniel attacking a heron
62 Dead hare, and a brace of woodcocks
63 Three pheasants
64 Black game hanging by the neck
65 Dead owl, woodpecker, and woodpigeons
66 Peaches, quinces, &c.
67 Covey of partridges
68 Fruit
69 Fish
70 Hawk and plover
71 The ruff
72 Small birds
73 Dead hare, black cock, pheasant, &c.
74 Brace of dead pheasants
75 Fox breaking cover
76 Dead hare, and cock pheasant
77 Two hounds killing a fox
78 Live pheasants
79 Large cat, and groupe of fish
80 Small sparrow hawk with a robin
81 Gold pheasants
82 Cat and groupe of fish
83 Covey of partridges
84 Snared hare
85 Live pheasants
86 Fox and cock
87 Pied pheasant, shell drake, and jay
88 Head of a peasant
89 Carolina chatterer, and goldfinches

Lot
90 Dead pheasant, partridge, and snipe
91 Hen and chicken
92 Head of St. Peter
93 Dead pheasant, and three woodcocks
94 Pike, carp, and trout
95 Dead hare, and brace of partridges
96 Head of a beggar
97 Live woodcocks
98 Dead pheasant, woodcock, and jay
99 Carolina drake
100 Mandarine drake
101 Fruit
102 Brace of carp
103 The hobby hawk and partridge
104 Fish
105 Fruit, with a parrot
106 Fish
107 Three partridges
108 Brace of trout
109 Fruit
110 Sea gull
111 Spaniel
112 Dead birds
113 Water spaniel, and heron
114 Peacock, Turkey-cock, &c.
115 Lurcher, and dead fox
116 Dead hare, partridge, and snipe
117 Cat, and gold fish
118 Head of a beggar
119 Dead hare, and brace of partridges
120 Dead cock pheasant
121 The grebe
122 Terrier, and fox
123 Pied pheasant, and common pheasant
124 Hare in her form
125 Brace of dead pheasants, and jay
126 Red game
127 Fruit
128 Dead hare, woodpecker, &c.
129 Old man reading by candlelight
130 Dead wood pigeons
131 Pointer, and dead game

 132 Fruit

Lot
132 Fruit
133 Brace of dead partridges
134 Fruit
135 Dead partridge, woodpecker, and king's fisher
136 Dead cock pheasant, woodpecker, and wood pigeon
137 Politician
138 Brace of dead teal
139 Wild ducks
140 Black game
141 Fruit
142 Spaniel, and wounded pheasant
143 Pencil pheasant, and gold pheasant
144 Large group of fresh-water fish
145 Boy mending his pen by candlelight
146 Dead pheasant, teal, and snipe
147 Dead hare
148 Fruit

CRIM. CON.

SERJEANT'S INN HALL.

FEBRUARY 21.

Thoreton v. Thoreton.

THIS was an appeal, on behalf of the Lady, against the sentence of divorce, pronounced in consequence of her adulterous intercourse with Mr. Whitchurch.

No attempt was made to disprove the fact of the adultery. It appeared that Mr. Whitchurch had passed the night in Mrs. Thoreton's bed-room, during the absence of the husband; that the bed proposed for Mr. Whitchurch was not discomposed in the slightest degree, and that Mrs. Thoreton's bed, on the other hand, was very much tumbled; that the maid servant in the morning discovered the impression of two bodies; and that from certain other signs could plainly perceive that a man and woman had lain together in the bed.

The counsel, on behalf of the lady, endeavoured to prove that the adulterous connection had been connived at, and carried on with the privacy of the husband. The evidence which had been given on a former trial, clearly proved, that notice had been given to the husband, by letter, of the suspicious conduct of his wife. Instead of hurrying home immediately, in consequence of this information, Mr. Thoreton continued several days at Newmarket, and when he did return, made no enquiry about his wife's conduct, and took no notice of the letter he had received, till the butler reminded him of it. A regular journal of all that had passed, was then presented by the butler, but such was Mr. Thoreton's confidence in the virtue of his wife, that he gave no credit to the accusation. Subsequent to this circumstance, Mr. Whitchurch repeated his visits as usual, and dining one day at Mr. Thoreton's, expressed his peculiar partiality to a particular dish, which happened to be served up; Mr. Thoreton, in reply, told him, that whenever that dish was brought to table again, he would take care and let him know; and added, "There is *no* dish in my house, which you are not welcome to taste of, whenever you think proper." He continued to treat Mr. Whitchurch with the utmost cordiality and friendship, and disregarded all the hints thrown out against the chastity of his wife.

Some letters were likewise produced, in one of which Mrs. Thoreton declared, that she liked Mr. Whitchurch's little finger, better than her husband's whole body.

From these premises the counsel, on behalf of the lady, endeavoured to prove, that there was a collusion between the husband and the adulterer;

adulterer; and that Mr. Thoreton had no right to expect redreſs for an injury which he had brought upon himſelf; the law expreſsly declaring, as an incontrovertible maxim, that "*Volenti non ſit injuria.*"

On the other ſide it was contended, that the huſband had not been guilty of connivance or neglect, as the profeſſional character of Mr. Whitchurch, being apothecary and *accoucheur* to the family, ſanctioned his viſits to Mrs. Thoreton. Mr. Whitchurch was, moreover, a man paſt the "*hey day*" of life; was between fifty and ſixty years of age, and father of a family. Under ſuch circumſtances, it was not to be ſuppoſed that ſuſpicion could attach to his intercourſe with Mrs. Thoreton. The counſel, on behalf of the reſpondent, very juſtly contended, that circumſtances made a very different impreſſion upon the mind, after the fact was poſitively aſcertained, from what they did whilſt no proof whatever was made out. Mr. Thoreton might appear to have acted careleſsly to thoſe, who viewed and analyzed the ſeveral circumſtances, after the guilt of the parties had been incontrovertibly eſtabliſhed. But, whilſt the preſumption was on the other ſide of the queſtion, whilſt the huſband believed his wife innocent, he could not be ſuppoſed to have viewed the conduct of his wife, and the general *minutiæ* of her deportment, in that ſcrutinizing light, as he did after conviction of her infidelity flaſhed him in the face. The depoſition of the ſervants, on which ſo much ſtreſs had been laid, only referred to one ſingle night, viz the night which Mr. Whitchurch paſſed in the bed-room of Mrs. Thoreton; and for this Mrs. Thoreton had already alledged her ill health, and the neceſſity of having medical aſſiſtance momentarily at hand. It might have been more proper if Mr. Whitchurch had been ſtationed in another room, within call; but this was a matter of prudence, and did not come within the cognizance of the Court. As to the friendly manner in which Mr. Thoreton had behaved towards Mr. Whitchurch, after the information he had received from the ſervants, this was not a matter of ſurpriſe, as Mr. Thoreton had then believed him innocent of any adulterous connection with his wife. In ſhort, no proof was brought of connivance, on the part of the huſband, after the fact of the adultery had been clearly made out.

The Court, after mature deliberation, affirmed the ſentence of divorce *a menſa et thoro.*

EXTRAORDINARY CHARACTER.

MAFFEUS, who wrote the hiſtory of the Indies, which has always been a model of veracity, as well as elegant compoſition, mentions a native of Bengal, named Nunis de Cugna, who died in 1566, at the age of 370. He was a man of great ſimplicity, and quite illiterate, but of ſo extenſive a memory, that he was a kind of living chronicle, relating diſtinctly and exactly, what had happened within his knowledge in the compaſs of his life, together with all the circumſtances attending it. He had four new ſets of teeth, and the colour of his hair and beard had been very frequently changed, from black to grey, and from grey to black. He aſſerted, that in the courſe of his life he had 700 wives, ſome of whom died, and the others he had put away. The firſt century of his life paſſed in idolatry, from which he was converted to Mahometaniſm, which he continued to profeſs till his death.

FEAST

FEAST OF WIT;
OR,
SPORTSMAN's HALL.

DURING the late frost, an eminent preacher on the south side of Blackfriar's-bridge, remarkable for his good humour, overhearing two of his servants disputing which of them had the right to shovel the snow away out of the garden—thinking example better than precept, applied to them for a spade to do it himself.—The two servants, now ashamed of their conduct, insisted upon preventing him, which he suffered them to do; observing, he should not have undertook it, only hearing them both say, *it was none of their business*, he concluded of course that it must be *his!*

The late Alderman Sir Mathew Blakstone, once took revenge of his coachman, on a similar occasion, and in the following way:—On a day when he was to have company to dinner, and part of his servants rather busy in making preparation, he chanced to hear one of them, a female, ask the coachman, who had nothing to do, to fetch her a jug of water from the pump; the surly fellow refused, saying *it was not his business* to fetch water. The Knight, after a short pause, cooly rung his bell, and ordered the carriage to be got ready immediately. The coachman, though surprised at his master's sudden commands, had nothing to do but obey them, and was, with the carriages and horses, at the door in a few minutes. Sir Matthew called the girl, who had requested the coachman to fetch the water, told her to get into the coach, and take the jug with her—she did so; he then bid the coachman drive to the pump, where the young woman alighted, filled her pitcher, and returned with it in the carriage, to her master's house.

It is related of the eccentric, though truly benevolent character, alluded to in the anecdote of shovelling away the snow, that upon occasion of his visiting a person in distress, he found that in the catalogue of the poor man's wants, that he stood most in need of a shirt; to supply which, and without loss of time, Mr. H. pulled off his coat and waistcoat, and then his shirt, which last he gave to the unfortunate object of his charity, and returned home literally *shirtless*. This singular act furnished not a little mirth to the friend who accompanied the Reverend Gentleman in his visit; nor was his mirth lessened on hearing him call for a shirt on his return home, with the answer he received before it was noticed by his family—that he really had not a shirt to his back.

EPITAPH ON MRS. NOT.

NOT born—NOT dead—NOT christened—
NOT begot—
Lo! here she lies, that was, and that was
NOT!
She died, was born, baptized, and
more;
Was in her life NOT honest, not a wh—e.
Reader! behold a thing most rarely
wrought;
Which, whilst thou seem'st to read, thou
readest NOT!

AN OBSOLETE EPIGRAM ON A MODERN FASHION.

The flaxen hair Miss Sally wears
Is her's—who would ha' thought it?—
She swears 'tis her's—and true she swears,
For I know where she bought it.

SCRATCH.

On Saturday night, Feb. 7, a *melancholy* accident happened at Drury-lane Theatre. As a boat was attempting to shoot the arch of the draw-bridge of the *Castle of the Lake*, it overset, by which six puppets were unfortunately drowned!

Since the frost set in, several fine women, the snowy mantle of whose virtue was never defiled by the

the breath of ſcandal, have been actually caught *tripping* ! ! !

THE PIOUS ROGUE.—A FRAGMENT.

“ Have you aught more whereof your conſcience ſhould be purged?” ſaid the venerable father Anſelm, addreſſing a kneeling ſinner at the confeſſional. “ Yes, holy father,” replied the penitent, “ I have committed the foul ſin of theft—I have ſtolen this watch, will *you* accept of it?”—“ *Me!*” exclaimed the pious prieſt; “ *me* receive the fruit of thy villainy!—how dareſt thou tempt me to the commiſſion of ſo abominable a crime? Go inſtantly, return the watch to its owner.”—I have already offered it to him,” replied the culprit, “ and he refuſed to receive it again ; therefore, holy father, I beſeech *you* to take it.”—“ Peace, wretch!” rejoined Anſelm, “ you ſhould have repeated the offer.”—“ I did repeat it, holy father, and he perſiſted in the refuſal.”—“ Then I muſt abſolve thee from the ſin thou haſt committed.” The purified Catholic had ſcarcely departed when the aſtoniſhed father diſcovered that *his own* watch had been ſtolen from the place where it had been depoſited, near the confeſſionary !!

Boſwell, in his Life of Dr. Johnſon, mentions that the Doctor had a great kindneſs for the Iriſh nation, and thus generouſly expreſſed himſelf to a gentleman from that country on the ſubject of a UNION, which artful politicians have often had in view—“ Do not make a UNION with us, Sir; we ſhould UNITE with you, only to ROB you. We ſhould have robbed the Scotch, if they had had any thing of which we could have robbed them!”—*Vol. III. p.* 207.

On Sunday, February 3, in a pariſh church near Dumfries, the clergyman had the pleaſure of addreſſing a very *ſelect* party, viz. the precentor, elder, beadle, and *two fornicators*, who attended to do penance in the face of the *congregation!*

According to the French papers, the Emperor of Ruſſia has lately caſhiered an officer of rank, for wearing *boots* and a *round hat*. This enormous offence too is characteriſed as *impiety*. Such crimes, as the grave-digger ſays, “ are againſt law, ay marry! Crowner's queſt law!”

It is perhaps a compliment to the gravity of our nation, that a *dancing bear* was ſaid to be the beſt character at the late maſquerade. A German was one day ſeen leaping out of a window—“ What are you about?”—I am endeavouring to be *lively!*”

A young man, unfortunately too much addicted to *gaming*, was lately ſolicited by a friend to abſtain for that night at leaſt from viſiting one of the nocturnal rendezvous called *Hell*; and having rejected the advice, the other left him in a paſſion, adding, “ Then you may go there *and be d—ned.*”

A TRIBUTE to the Memory of the Reverend and Ingenious THOMAS OLIVE, late Vicar of Mucking, in Eſſex.

O TOM, what havock Death has done,
Deſtroying many a man in one!
A prieſt, a poet, a muſician,
A ſkilful painter, an optician;
An architect ſo vers'd, as both
To vie with modern, and with Goth.
In ſhort, on the Apoſtle's plan,
Full every thing to every man.
With puns, and jeſts, and quaint bon mots,
Thy friends thou'ſt jeer'd, and laſh'd thy foes;
And thro' a life of mirth and whim,
In conſtant ſearch of witticiſm;
Derived from nature wondrous parts,
From Providence the beſt of hearts.
Thy virtues told, thy faults forgot,
Farewell I bid thee, Tom, in what
Thou didſt delight—to wit—a pun—
O live for ever—there is one.

I. B.

SPORTING INTELLIGENCE.

ON Thurſday, Feb. 7, were convicted at Maidſtone, before G. Beſt, Eſq. one of his Majeſty's Juſtices of the Peace for this county, William Wills, ſen. and John Wills, jun. both of Ulcomb, farmers, for ſhooting game without a certificate, and were each fined in the mitigated penalty of 10l. with full coſts.

In the Houſe of Commons, Tueſday, Feb. 19, Mr. Shaw Lefevre moved for leave to bring in a bill for repealing and amending certain parts of the Game Laws, relating to the period preſcribed for ſhooting partridges.

SOUTHAMPTON, FEB. 16.

Mr. Nichole, of Jerſey, being lately ſhooting ducks along the ſea coaſt, ſaw ſomething ſwimming among the rocks, which he at firſt took to be a ſea fowl, but, on his coming nearer the beach, he perceived it to be an animal, and ſhot at and killed it; when, to his great ſurpriſe, his dog brought a large hare from the water. The animal, it ſeems, had accidentally been ſhut up on a half-tide rock, that lies about half a mile at ſea, from the place where it was ſhot.

A ſeaſonable and approved recipe for keeping wet from penetrating through the feet of boots, alſo from ſhooting ſhoes, &c.—Mutton ſuet 8 oz. lard, 4 oz. turpentine, 2 oz. yellow (new) bees wax, 2 oz. olive oil, 3 oz. Melt and mix ſlow over the fire, adding a little lamp black. Lay this on warm with a clean new bruſh, the leather previouſly moiſtened and warm, rub it well in, holding the ſhoes, &c. in the air of the fire to work the compoſition well in, on the ſole and ſeam particularly.

A few days ſince an eel was taken out of the river Kennet, near Newbury, which weighed 15lb.

A brace of woodcocks, ſeeking ſhelter from a gale of wind, lately alighted on his Majeſty's ſhip Glory, at that time cruiſing in the channel.

During the late froſt, there were taken in a decoy pond belonging to Mr. Bate Dudley in Eſſex, upwards of *ten thouſand* head of wigeon, teal and wild ducks!

Friday, the 1ſt inſtant, a gentleman in Ratcliffe-highway ſhot a blackbird near Stratford, in Eſſex, and, on opening it, a young ſnake, about eight inches long, was found in the craw, rolled round like the ſpring of a watch, which is preſerved in ſpirits at a public-houſe as a rarity, that ſo ſmall a bird ſhould gorge ſuch a venemous creature.

A match for 3000 guineas will be run at Newmarket on the 25th of March next, by the horſes of Sir H. V. Tempeſt and Mr. Cookſon. The bets already laid are very conſiderable.

A common Porter in a very conſiderable Banking houſe in Lombard-ſtreet, became poſſeſſed laſt month of a fortune of 2000l. a year, left him by a rich uncle in the country, who had not the ſpirit to give away any thing in his life time. The man left town on Saturday, the 2d of February, in a poſt chaiſe and four to take poſſeſſion of his eſtates.

There is now living in the city of Lincoln, a perſon who has travelled upwards of 45,760 miles, to and from Wragby market, which is only 11 miles diſtant; but what appears ſtill more extraordinary, he has not been prevented by ſickneſs or any other cauſe, from attending every market day during the laſt forty years.

The following fact is recorded on the authority of Mr. Swallowe, ſome years ago Britiſh Conſul-General in Ruſſia:—Having occaſion to go from Peterſburgh to Moſcow, where

where eels are a great variety, he ordered ſome to be taken, to carry as a preſent. Upon their being taken out of the water, they were thrown upon the ground to be frozen and they ſoon appeared quite dead and almoſt a piece of ice. They were then packed up in the uſual manner with ſnow; and when he arrived at Moſcow, which was in four days, the eels being put into cold water, and ſo thawed, diſcovered evident ſigns of life, and ſoon perfectly recovered.

"The winter's keener breath (has doubtleſs now) began
To chryſtalize the Baltic ocean,
To glaze the lakes, and bridle up the floods,
And *periwig with ſnow, the bald pate woods.*"
Sir RICHARD BLACKMORE.

In ſimilar weather, ſome years ſince, a nobleman and his lady, on their road from Bath, were conſtrained to retire for ſhelter into a ſmall cottage, inhabited by a poor old widow, at the foot of Marlbro' hills. A foreign noble, whom Lord C. had not long before turned out of his houſe, for certain indecorous behaviour towards Lady C. had prior poſſeſſion of the cottage; and they were ſoon after followed by a third gentleman in diſtreſs. A brown loaf, a ſmall piece of bacon, and a pound of candles, conſtituted all their dead ſtock; that alive, a cat, a cock and hen, with nine domeſtics. Lady C. who has ſince been a great traveller and authoreſs, demonſtrated the verſatility of her genius, and turned cook for the company. The bacon, half the loaf, and the hen, afforded a ſoup *a la Margravine,* which regaled the whole company; but as neither horſes nor proviſion could poſſibly reach them till late the following day, they were glad to make a delicious breakfaſt on the old woman's cock, and the remaining candles, ſtewed down with the bottom of the brown loaf.—*(A fact.)*

Bonnel Thornton, whoſe nocturnal enjoyments ſeldom admitted of his riſing before noon, was admoniſhed by a grave friend that a perſeverance in thoſe habits would ſhorten his days. "Very true," replied the wit, "but by theſe ſame habits I contrive to *lengthen my nights.*"

On Thurſday, the 7th of February, the *whole* of the *wearing apparel* and muſical inſtruments of a profeſſor were ſold by public auction. The catalogue contained *nine violins* and *one ſhirt.*

The long match of tennis, the Duke of York with Lord Cavan, againſt Colonels St. Leger and Elde, was decided on the 6th inſtant, in favour of his Royal Highneſs.

A WHIM.

Tueſday, the 12th of Feb. a lady of quality, (our informant ſays Lady T———n) took a pair of oars at Blackfriar's-bridge, and ordered the watermen to row her about among the floats of ice which covered the ſurface of the river. After being out for more than an hour, in what appeared to a number of ſpectators a rather perilous ſituation, ſhe returned on ſhore, ſtepped into her carriage, which had been all the time in waiting, and was driven home. Her Ladyſhip was cloſely wrapped up in a kind of box great coat, and appeared much gratified with her glacial voyage, which had extended a conſiderable diſtance beyond Somerſet-houſe.

FEMALE FASHION.

The preſent faſhionable necklace is a broad gilt or ſilver plate, encompaſſing the throat, and not unlike a *dog-collar.* So prevalent is the practice amongſt our *modiſh matrons,* of running aſtray, it were perhaps expedient that on this *Otaheitan* ornament the maſter's name was engraven.

Some days ago a pitch battle took place in a field on the upper Bristol road, near Bath, which was attended with fatal consequences:—The parties were Griffet, a butcher, and Saunders, a horse-keeper; after having fought near twenty minutes, they closed, and both falling together, the butcher, either from a blow, or from the fall, received so much injury as to cause his almost immediate death.—As he was conveying to the Casualty Hospital in a cart, we understand Mr. Gilpin, surgeon, examined the body, and found little or no signs of life, and attending it into the house, opened a large vein in the neck, which bled profusely; and used other means for restoring life, but without any good effect.

Lately died, at Croike, in the county of Durham, at the advanced age of 104, Simeon Ellerton. He was a noted pedestrian, and was often employed by Gentlemen in the neighbourhood on commissions to London and other places. He lived in a neat stone cottage of his own building; and what is remarkable, he had literally carried it upon his head! it being his practice to bring home from every journey the most proper stone that he could pick up on the road, until he had accumulated a sufficient quantity. Although the motive had ceased, this practice had grown so much into a habit, that he imagined he could travel the better for having a weight upon his head. If any person enquired his reason, he used facetiously to observe,—"'Tis to keep on my hat."

A SINGULAR THEFT.

A few nights ago, a man holding his horse while he conversed a few minutes with a friend in Market-street-lane, Manchester, on attempting to remount, to his astonishment found that a sharper had marched off with the *saddle!*

A large party of noblemen and gentlemen have lately been on a visit to the Duke of Bedford at Woburn Abbey.—Thursday, Feb. 21, being unfavourable to the sports of the field, they amused themselves with a foot race by the Honourable Charles Fitzroy, who undertook, for a considerable sum of money, to run 25 miles in four hours. On account of the weather, the spacious and extensive gallery round the Abbey was fixed on for the race; the distance carefully measured, and the number of times round it to compleat 25 miles was calculated. Soon after twelve o'clock he started; for about three hours and a half he continued his course with great regularity, and it was supposed with speed and ease sufficient to have completed it within the time; after which he found himself so compleatly exhausted, as to force him to give up the attempt. His exertions excited very considerable interest with his Grace's noble guests, and many bets were made on the event.

LOTTERY.

Mr. West, at the Canteen, and Quarter-Master Serjeant Adams, of the 19th regiment of Light Dragoons, both belonging to Maidstone Barracks, proved the fortunate holders of a sixteenth share of the ticket No. 11,780, drawn a prize on Friday last of 20,000l.—The Aylesbury coachman, and the keeper of the tap at the Inn, in Holborn, where the Aylesbury coach puts up, are likewise holders of one sixteenth of the above ticket.—Abraham Reccordo, Esq. is stated to be the fortunate holder of one of the 20,000l. prizes.

RINGING, IMPERIAL THE THIRD.

That grand and musical peal, Imperial the Third, consisting of 5152 changes, was on Monday, February

February 11, at Soham, in the county of Cambridge, rung by the society of that place, in three hours and forty-two minutes, in that superior stile of ringing which entitles them to much applause.

A west country paper advertises a "Notice to *unqualified sportsmen*," announcing that "on Friday Feb. 22, a *lamb* was shot dead, and an *ewe* wounded in the udder and leg; and some time ago, a *cow* was shot in the face, &c. !!!

FOX CHACE.

A fox having lately frequently visited the poultry at Henly, in Suffolk, and its neighbourhood, two young farmers at the above place, of the names of Bedwell and Watkins, went about the middle of the month in quest of him, with a mastiff dog, to a thicket, from whence they thought of rousing Reynard from his morning dose. Agreeable to their expectation, they soon forced him from cover, and went in pursuit of him on foot, sometimes running by sight, and sometimes by trace in snow and dirt, for the space of seven hours and an half; the dog they left breathless behind long before the chace was over. The fox, however, made a circuit to J. M. Theobald's, Esq. Claydonhall, where he crossed the canal in the garden, and took shelter in the parlour; the door was immediately shut by the pursuers, and on their entering the room, were surprized at not seeing him, but making a diligent search, found him within side a roll of carpet, which was standing upright on a chair; being forced to quit that place, he maintained a post on the dining table, where he made a spirited resistance; but being overpowed, by these fleet sons of Diana, poor Reynard was obliged at last to yield himself prisoner to their superior strength and alertness.

MILITARY TACTICS.

THE BROAD SWORD.

The military spirit which prevails in this country, and the cause which produced it, render it proper that we should bring into public notice whatever may tend to render that military spirit effectually instrumental to the national defence.

Mr. Henry Angelo, whose father has been so long known for his skill in the art of defence, and whose own abilities are well calculated to keep up the credit of his name, is preparing a work intended for the use of the cavalry, and such is the merit of that work, that the best judges give it the most favourable report. It comes forward with the support already of four hundred subscribers; and the names of gentlemen distinguished for their skill in fencing, and the broad sword, are daily added to the list. In this work the new guards, as they are technically denominated, are boldly designed by that favourite artist Rowlandson, and exemplified by plates representing figures in all the relative actions. Some people have attempted to raise objections to this useful work even before it has been published, and pretended that it recommends useless and impracticable innovations; but the truth is, that every thing in the former system is retained, and the additional modes are sanctioned by the best authority.

The work is encouraged by the highest and most respectable patronage: his Royal Highness the Duke of York; his Royal Highness the Duke of Gloucester, Prince Ernest, Prince William of Gloucester, and several of the Nobility, are amongst its patrons, and it is dedicated to Colonel Herries, and the gentlemen of the Corps of Light Horse Volunteers.

The expertness of the Malays at diving appears from the following curious

curious circumstance, related by a gentleman lately from India:

"Having often heard of the skill of these people in the water, and received almost incredible accounts of their diving, I was much gratified at being on the quarter-deck when an exploit was to take place. The ship was riding at anchor in the bay of St. Helena, and quite calm; I saw a dollar thrown from the bowsprit of the ship by the boatswain; at the same instant of time a Malay leaped from the starboard quarter galley into the water; he remained invisible for four minutes and twenty seconds; when, to my utter astonishment, he returned with the identical dollar, which had been privately marked, in order to prevent a deception. The Malay, I understand, caught the dollar about midway, and performed the same surprising exploit many times before we sailed."

The cause of Cowan *v.* Phillips, is at last settled by a compromise of the penalties, which were laid to the amount of *One Million.*—Our readers will recollect, Cowan was master of the unfortunate Weston, executed for forgery, who lost large sums of money at the gaming-houses of Phillips and Co. and which led to the above law suit.

WHITEHAVEN, FEB. 19.

Dissington hunt was not only well attended on Friday, but afforded two of the most agreeable chases that the present season can boast of, in this part of the kingdom. Mr. Curwen's hounds cast off at Lilly-hall, and the pursuit continued from half past ten till two in the afternoon. The route was by Branthwaite, Dean, Bridgefoot, &c. The weather was uncommonly fine and pleasant, and the remainder of the day was passed with the greatest hilarity at the Globe.

A duel was fought on Monday morning, Feb. 11, at Plymouth, at the distance of ten paces, near the lines, between Mr. Pitt, surgeon, and Mr. Shaw, master of the Volcano bomb vessel. On the second fire, Mr. Pitt's shot took effect, and the ball entered Mr. Shaw's right knee; when the seconds interfered. Mr. S. was conveyed to the Royal Naval Hospital, where he lies dangerously ill, his joint bones being much shattered.

Friday evening, Feb. 22, a man at Brighton, named Staines, sold his wife, by private contract, for 5s. and eight pots of beer, to one James Marten, of the same place, to whom he surrendered his *ci-devant* rib accordingly. The articles of separation and sale were formally signed by the contracting parties, and witnessed by two wedded couples who were present, and who, though extremely loving under the influence of Sir John Barleycorn, probably envied the good fortune of their newly-divorced friend and companion.

HAYMARKET THEATRE.

The tragedy of *Jane Shore*, and the farce of the *Author*, were performed at this theatre Monday night, Feb. 18. The attraction was the appearance of Mrs. Sumbel, late Mrs. Wells, in the characters of *Jane Shore* and *Beckey*, in both of which, particularly the latter, she fully evinced that her long secession from the stage has not disqualified her from resuming, with success, those dramatic situations in which she was wont to afford so much satisfaction to the admirers of the mimic art. Between the play and farce she gave the most admirable and correct imitations of Mrs. Siddons, Mrs. Abington, Mrs. Jordan, Madame Storace, Mrs. Martyr, and several other favourite actresses.

POETRY.

THE HIGH COURT OF DIANA.

LUBIN AND HIS DOG TRAY.

BY MR. GEORGE DAVIS HARLEY,
COMEDIAN,
Late of the Theatre Royal, Covent Garden.

YOUNG Lubin was a ſhepherd boy,
 Who watch'd a rigid maſter's ſheep;
And many a night was heard to ſigh,
 And many a day was ſeen to weep.

For not a lambkin e'er was loſt,
 Or wether ſtray'd to field remote,
But Lubin ever was to blame;
 Nor careful he, nor penn'd his cot.

Yet not a truſtier lad was known,
 To climb the promontory's brow;
Nor yet to tenderer heart e'er beat,
 Beſide the brook in vale below.

From him ſtern winter's driſting ſnow,
 Its pelting ſleet, or froſt ſevere:
Or ſcorching ſummer's ſultry ray,
 Ne'er forc'd a murmur, or a tear.

For, ah! the vary ſeaſons had
 To ev'ry hardſhip form'd his frame;
Though ſtill his tender, feeling heart,
 By nature nurs'd, remain'd the ſame.

But whither ſhall the orphan fly,
 To meet protection's foſt'ring power?
Oppreſſion waits the future day,
 When miſ'ry marks the natal hour.

An orphan lad poor Lubin was;
 No friend, no relative, had he!
His happieſt hour was daſh'd with woe,
 His mildeſt treatment—tyranny!

It chanc'd that o'er the boundleſs heath,
 One winter's day, his flocks had ſpread,
By hunger urg'd to ſeek the blade
 That lurk'd beneath it's ſnowy bed.

And hous'd at eve, his fleecy charge,
 He ſorrowing, miſs'd a favourite lamb;
That ſhunn'd the long perſiſting ſearch,
 Nor anſwered to its bleating dam.

With heavy heart he ſhap'd his way,
 And told ſo true, ſo ſad a tale,
That almoſt pierc'd the marble breaſt
 Of ruthleſs Rufus of the vale.

Poor Lubin own'd his flocks had ſtray'd;
 Own'd he had ſuffer'd them to go;
Yes!—he had learn'd to pity them,
 For often had he hunger'd too.

And had he to their pinching wants
 The unnipp'd neighb'ring bounds denied,
They ſure had dropp'd! as ſurely, too,
 The pitying ſhepherd boy had died!

"Then die!" th' unfeeling maſter ſaid,
 And ſpurn'd him from his cloſing door;
Which, till he found his fav'rite lamb,
 He vow'd, ſhould ne'er admit him more.

Dark was the night, and o'er the waſte,
 The whiſtling winds did fiercely blow;
And 'gainſt his poor unſhelter'd head,
 With arrowy keenneſs, came the ſnow.

The ſmall thick ſnow that Eurus drives,
 In freezing fury, o'er the plain,
And with unſparing vengeance, ſcores
 The callous face of hardieſt ſwain!

Yet thus he left his maſter's houſe,
 And ſhap'd his ſad, uncertain way;
By man unnotic'd and forſook,
 And follow'd but by truſty Tray.

Poor

Poor trusty Tray ! a faithful dog !
Lubin and he were young together ;
Still would they grace each other's side,
Whate'er the time, whate'er the weather.

Unlike to worldly friends were they
Who separate in fortune's blast—
They still were near, when fair the sky,
But nearer still when overcast.

When Lubin's random step involv'd
His body 'neath the rifled snow,
Tray help'd him forth; and, when Tray fell,
Poor Lubin dragg'd him from below !

Thus, 'midst the horrors of the night
They enter'd on the houseless heath,
Above their heads no comfort broke,
Nor round about, nor underneath.

No little chearing star they saw,
To light them on their dreary way ;
Nor yet the distant twinkling blaze
Of cottage industry saw they.

Nay e'n that most officious guide
Of those who roam, and those who mope ;
Retiring will-o-the wisp, refus'd
To trim the lamp of treach'rous hope.

No parish-bell was heard to strike
The hour of "tardy-gaited night;"
No noise—but winds and screams of those
Ill-omen'd birds that shun the light.

Benumb'd, at length, his stiff'ning joints,
His tongue to Tray could scarcely speak ;
His tears congeal'd to icicles—
His hair hung clatt'ring 'gainst his cheek.

As thus he felt his falt'ring limbs
Give omen of approaching death,
Aurora, from her eastern hill,
Rush'd forth, and staid his fleeting breath.

And shew'd, to his imperfect sight,
The cause of all his cruel woe—
His little lambkin, cold and stiff,
Stretch'd on its bed of glist'ning snow !

His heart's best chord was yet in tune,
Unsnapp'd by cold severity ;
Touch'd was that chord—his dim eye beam'd,
Suffus'd, with sensibility.

"'Tis just," he said, "that where thou "liest,
"The careless shepherd-boy should lie !
"Thou died'st, poor fool ! for want of "food
"I fall—for suffering thee to die !

"But oh—my master"—broken, short,
Was every half-word now he spoke—
"Severe has been thy constant will,
"And galling sure thy heavy yoke.

"But yet, in all my best have I,
"Without a plaint, my hardships bore !
"Rufus !—may all thy pangs be past !
"Master !—my suff'rings are no more.

"A warmer couch hast thou to press,
"Secure from cramping frosts thy feet;
"And cou'd thou boast so free a breast,
"Thou mightest die a death so sweet.

"My trusty dog ! that wistful look,
"To all that makes my poor heart "heave ;
"But hie thee home ! proclaim me dead,
"Forget to think, and cease to grieve."

So saying, shrunk the hapless youth,
Beneath the chilling grasp of death ;
And clasping poor Tray's shaggy neck,
Sigh'd gently forth his parting breath.

His faithful, fond, sagacious dog,
Hung watchful o'er his master's clay,
And many a moan the old fool made,
And many a thing he strove to say.

He paw'd him with his hard-worn foot,
He lick'd him with his scarce-warm tongue,
His cold nose strove to catch his breath,
As to his clos'd lips close it clung.

But not a sign of lurking life,
Through all his fame he found to weep ;
He knew not what it was to die,
But knew his master did not sleep.

For still had he his slumbers watch'd
Thro' many a long and dismal night,
Arouz'd him from his pallet hard,
To meet his toil ere morning light.

And well his brain remember'd yet,
He never patter'd tow'rds his bed,
Or lodged his long face on his cheek,
But strait he stirr'd, or rais'd his head.

Yes, he remember'd, and with tears,
His loving master's kind replies ;
When dumbly, he contrived to say—
"The cock has crow'd my master—rise !"

But now the paw, the scratch, the whine,
To howlings chang'd, alone can tell
The suff'rings of instinctive love,
When fruitless prov'd its simple spell.

Great

Great grief assail'd his untaught heart,
And quickly laid it's victim low;
His master's cheek his pillow cold,
Their common bed the colder snow.

PROLOGUE TO THE VOTARY OF WEALTH.

WRITTEN BY W. T. FITZGERALD, ESQ.

SPOKEN BY MR. MURRAY.

TO please the town is not a task severe,
Wit will command a smile—distress a tear;
And he whose moral picture plainly shews,
The tree of vice can bear no fruit but woes;
That, though successful long in fashion's reign,
The villain's wages are disgrace and pain!
But that the good, by bounty wisely giv'n,
Can make this vale of tears resemble heav'n;
With new-born comfort hush the widow's sigh,
And wipe the tear from pallid mis'ry's eye—
The Bard who thus employs his useful pen,
Imprints his drama on the hearts of men,
Commands respect from age—applause from youth,
And makes the stage assist the cause of truth!

Yet has the author many an anxious fear
As his probationary night draws near;
When to his friends the manuscript is read,
Each social critic nods th' approving head;
Most yield him flatt'ry—some, with jaundic'd eye,
Glance at a fault, and at a beauty sigh;
But these are few—true genius still delights;
To gaze with rapture on the muse's flights
And scorns to triumph at a brother's fall,
When Fame's wide dome is large enough for all;
Tho' none shall mount where Shakespeare sits sublime—
The drama's monarch to the end of time!
Within that fane they each a wreath may wear,
Which nature's darling offspring hallow'd there;
And seated at the base of Shakespeare's throne,
Feel some small portion of his fire their own!

Thus, if they knew their int'rest, wits would be
By friendship bound in one great family;
And, if deserving, all might reap the bays
From the rich harvest of the public praise.

EPILOGUE TO THE SAME.

WRITTEN BY MR. TAYLOR.

SPOKEN BY MRS. POPE.

WELL, tho' our Bard has try'd his utmost art
To shew how riches will pollute the heart,
No doubt his labour has been all in vain,
And poverty will ne'er one convert gain.
How could the man attempt a task so bold!
But what, forsooth! can authors know of gold?
An ore that rarely darts on them a beam,
Unless, perchance, in hope's delusive dream;
Hope that misleads them thro's life's weary way,
And scarcely leaves, at last, the barren bay.
What! wean the human heart from love of pelf—
A toil too hard for Hercules himself.
Nay, that great hero, as we learn in story,
Strove for a little gain as well as glory,
Else why engage the dreadful scaly brute,
If not to grasp the rich Hesperian fruit.
Hence av'rice is a passion not so odd,
Since, as we find, it mov'd a demi god,
'Twas also said of yore, the female tribe
Are frail as men, when tempted by a bribe:
And mighty Jove, with all his boasted pow'r,
Was forc'd to woo amid a golden show'r.
Oh! wondrous charm of all-persuasive gold,
That fires the timid, and subdues the bold!
Gold that can give the upstart blockhead fame,
And make a fawning world his wit proclaim!
That lends deformity resistless grace,
O'erthrows the mighty, and exalts the base,
Great substitute for learning, genius, worth,
Despotic Sovereign of adoring earth!
But let me check the rash, injurious thought,
For in this court no verdict can be brought;
Here merit safely may assert its plea,
While candour regulates the mild decree,
And by that candour, one who oft has try'd
Its gen'rous force, his fate must now abide,
In hopes one error more will pardon find,
Since to his others you've so long been kind.

THE LIBERAL TURN.

AWAY to the heath where the bilberry grows,
When the hedges are cover'd with haws and with sloes,
Ere the dormouse begins her half year of repose.

We

We ſportſmen repair,
As we ſmile upon care;
By the guns cheerful toil,
Miſs the phtiſic and boil,
And regarniſh'd the cheek with the tints of the roſe.

At eve, as the ſun all becrimſon's the weſt,
With the peaſant returning we whiſtle to reſt,
With no pang of conſcience to ruffle the breaſt;
While your ruby town ſots,
Over pipes, bowls, and pots,
As the watchman goes one,
Let their tongues glibly run
Of high ſtate affairs, while their own are diſtreſs'd.

The moment the cherry-lip'd hand-maid of day
Peeps in at our windows, we're up and away,
With our pointers to ſhew where the brown covies lay:
You boaſt your town ſights,
Your play-houſe delights,
Compar'd with our ſport,
They're not worthy report,
If our dogs are well train'd, and alert to obey.

A greater delight we have ſtill left behind,
A bliſs that reſults from a generous mind,
What the churl never ſeeks, or the tyrant can find;
'Tis this when we've done
With the toil of the gun,
Of its produce we ſend
To oblige a town friend,
What paſtime can furniſh a conduct more kind.

From the ſportſman's purſuits, ye niggards go learn,
Teach your cold flinty boſoms with friendſhip to burn,
While you bury your cares in oblivion's urn;
Or at morn on the glade,
Or at eve in the ſhade,
Your tongue ſhall declare,
No purſuit can compare
With the ſportſman's, whoſe pride is the liberal turn.

WIT WITH THE BOWL.

Since wit is a wench for the lap of a god,
Since titles without her are poor;
Since folly retires at her gibe or her nod,
And dares to confront her no more.
I'll kiſs her for life, and obey her controul,
And mingle her flaſhes of bliſs in my bowl.

From the cit to the throne with my charmer I'll ſtray,
'Tis ſeldom ſhe ſports with the ſwain,
But the proud pamper'd prieſt, as he comes in her way,
Awakens the mirth ſtirring ſtrain;
As ſhe probes the dark hypocrite's vice to the ſoul,
I mingle her flaſhes of bliſs with my bowl.

Should the ſtateſman perchance catch her keen piercing eye,
In ſpite of the party he rules,
She proves him a leader (and bids him paſs by)
Of time-ſerving raſcals and fools:
Tho' malice looks fierce, and points ſtrait to the goal,
I mingle her flaſhes of bliſs in my bowl.

Should the doctor approach us, who gravely aſſures
He is the top of the medical tree,
She proves that his murders are more than his cures,
And his object alone is a fee.
At the turnpike of death he but gathers the toll,
While I mingle her flaſhes of bliſs with my bowl.

With the man of the law too, full often ſhe'll ſport,
The knave whom no honour can bind,
As he buſtles away with his plagues to the Court,
Wit calls to his clients behind,
To tell them their efforts muſt finiſh in dole,
While I mingle her flaſhes of bliſs in my bowl.

To the rake out of health, as he murmurs along,
At Chloe ſtill throwing his curſe,
She proves had he taken a maid from the throng,
With more love for her fame than her purſe;
With health he might prattle with innocence droll,
And mingle the flaſhes of wit in the bowl.

Now hence law and phyſic, political knaves,
And prieſts who no virtue poſſeſs,
And who people the gibbets, and toil for the graves,
And who only diſhonour careſs;
Hark to Brevity's call, we'll obey her controul,
And mingle the flaſhes of wit in the bowl.

T. N.